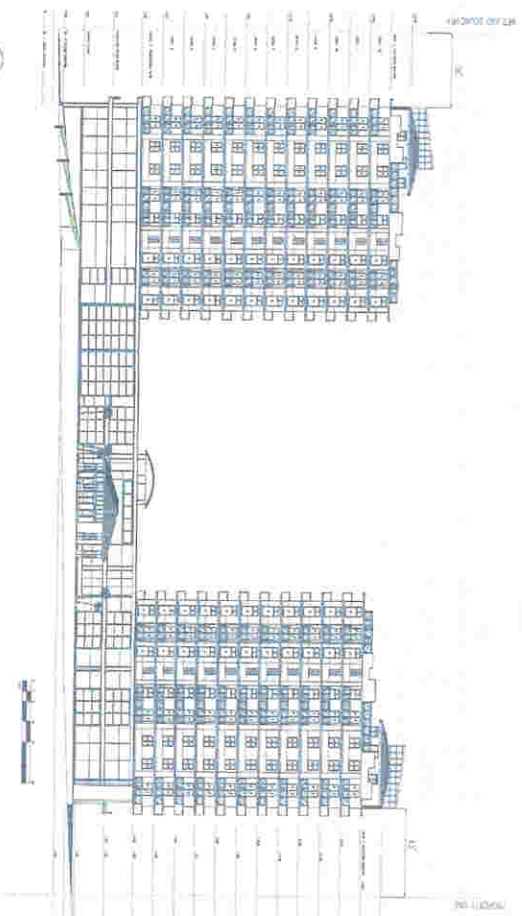


Application No:	2015-29
Applicant :	Guam Wangfang Construction Ltd
Type of Application:	Zone Variance For Height amd Density
Accepted Date:	September 17, 2015
Case Planner:	Celine Cruz

ZONE VARIANCE APPLICATION
For
300 Residences with Accessory Uses Within A
15-Story Building & A 14-Story Building
In an “R-2” Zone

Pago Bay Marina Resort
Lot 164-4NEW-1
Yona, Guam



Submittal Letter

Application Form

Pago Bay

Affidavit of Authorization

Marina

Resort

**Environmental Impact Assessment
With Wetland Update and
Utilities Calculations**

**Site Plan With Elevations and
Landscaping Plan**

**Zoning, Land Use, and
Adjacent Properties Maps**

**Property Map With
Topographical Map**

July 11, 2015

Property Ownership Document



FC BENAVENTE, PLANNERS

Planning, Zoning, Land Development Consulting, Permitting

127 Belong Street, Barrigada, Guam 96913
Tel: 671.988.7911 fciben@ yahoo.com

July 11, 2015

Mr. Michael Borja, Executive Secretary
Guam Land Use Commission
Department of Land Management
P.O. Box 2950 Hagatna, Guam 96932

Subject: Height Variance Application to build a 300 unit multi-story, multi-family building
on Lot 164-4NEW-1, within an "R-2" zone, in Yona, Guam.

Hafa Adai Mr. Borja

On behalf of Guam Wangfang Construction, Ltd., owners of the subject property, I am pleased to submit 32 sets of this Zone Variance Application for review and approval by the Guam Land Use Commission (GLUC). Site plan, floor plans, and elevation drawings are attached (Exhibit C).

Project Description.

The owners propose to build 300 unit multi-family residential facility within a destination to be known as the Pago Bay Marina Resort. Pago Bay Marina Resort will provide a full range of resident amenities including a health spa, an indoor and outdoor coffee shop, a restaurant, a retail shop, and function rooms. The "C" shaped single building structure will include a north end 15-story, and a south end 14-story medium rise residential tower. This single main building and twin tower concept provides greater open space on the ground and leaves the sensitive wetland and riverine shore lands untouched. The wetlands located within the property, encompasses 32% of the project site. Parking for vehicles as well as buses will be provided in the basement and surface level, and residential amenities will be provided at the ground floor and second floor level. Outdoor amenities include freshwater swimming pools, a water park, sun decks, walking and jogging pathways, Pago River and Pago Bay natural views, including abundant landscaping along the Route 4 and throughout the property. All development will stay compatible with GovGuam and Federal regulations for this unique and special property.

Location.

Lot 164-4NEW-1 is presently zoned "R-2." The property is presently vacant and undeveloped (See Property Map - Exhibit G). The property is irregular shape and has a total area of 6.87 acres (299,505 square feet). The exterior boundary of the lot, along the East side, fronts Route 4 and which functions as the main access road. The North boundary fronts the Pago River, the West boundary is Pago Bay beachside; and the South boundary is adjacent to the Pago Bay Resort residential subdivision.

Background.

As shown on the property map, Lot 164-4NEW-1 was originally part of Lot 155NEW-R1. Lot

155NEW-R1 was consolidated in 2009, with adjacent Lots 164-4 and 164-NEW following ownership's acquisition of them, and renumbered as Lot 164-4NEW (AKA "Mother Lot"). Lot 164-4NEW was then parceled into three lots. Lot 164-4NEW-2 is the portion of former Lot 155-NEW-R1, where the 98 lot, single family subdivision known as The Laguna is located (Attached is GLUC NOA for application No. 2007-84, Exhibit G). Lot 164-4NEW-R2 is located closer to the ocean, and Lot 164-4NEW-1, the subject lot, is located closer to the Pago River. Ownership's concept for the consolidation, and subsequent lot parceling, envisioned the future possibility, for developments of the other two properties for other activities, as they were already fully zoned as "R-2" in 2007 (Attached is DLM document No. 764581, Exhibit G).

Infrastructure.

Water and waste water services will be provided by Guam Waterworks Authority with systems already in place along Route 4. Electrical power will be provided by connection to the existing adjacent Guam Power Authority systems in place. Solid waste collection and disposal service will be provided by a private collection company. Adequate parking, drainage, and landscaping will be provided.

A COMPARISON TABLE

"R-2" Zone	Existing	Allowed/Required	Proposed/Provided	Variance Needed
Use	Vacant and Undeveloped	+Multi-Family with Accessory Uses	Multi-family Apartments with Accessory Uses	No
Density	Vacant and Undeveloped	239 MF Units @ 299,505/1250	300 Apartment Units + 4 Caretaker Units = 304	Yes. Exceeds by 65 Units
Parking*	Vacant and Undeveloped	304 Residential Parking Spaces @ 1 Space Per Unit	Tot: 344 Parking Spaces Plus Bus and Van Parking. 40 Vehicle Parking Spaces Provided for Staff Employees.	No
Setbacks	Vacant and Undeveloped	Front = 15' Side = 8' Rear = 10'	Front = 26' Side 1 = >100' (Pago River) Side 2 = 40' (PBR Subdivision) Rear = >120' (Pago Bay)	No
Height	Vacant and Undeveloped	3 Stories @ Not > 30 Ft	Tower A = 15 Story Tower B = 14 Story	Yes. Exceeds by 12 stories

Parking* Pago Bay Marina Resorts targets off-island clientele, who will be residing on Guam on a non-permanent basis. While one (1) parking space is provided for each unit as required by law, full use of these spaces is not anticipated, as ownership and maintenance of POVs is not typical of such clientele. A "shared parking" scenario is envisioned within the facility, which will allow use of the 304 specific unit parking spaces by other guests, as needed. These spaces, including the 40 other parking spaces, and the bus and van parking, will accommodate residents as well as staff and commercial area guests. Please note that commercial areas and facilities are designed as amenities for the facility residents and their guests, and may only be opened to the public with special invitations and accommodations. We humbly submit that the 344 parking spaces provided on site, with the "shared parking" scenario which includes bus parking (again not typical of residential facilities), are adequate for this scenario.

Zone Variance Justification as required by 21 GCA, Chapter 61, Section 6161.7.

a. That the strict application of the provisions of this chapter would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of the law;

Response: The variance requested is for an increase in height and density. We note that the north and west areas of the property have setbacks in excess of 100' and 120' respectively; and which contributes immensely to increasing the open spaces on the property. The significant amount of property in wetlands (32%); coupled with the significant amount of lineal footage land, located within riverside and ocean shore frontage, places unique development constrain requirements on full use of the property; thus qualifying for a request for greater density. Ownership has worked diligently to prepare a design that works very well with the unique qualities of the property, providing adequate spaces for light and air, and preventing undue concentration of population, and assuring that adequate utilities and amenities are provided to support the project. Disallowing this height and density variance, will result in difficulty and unnecessary hardship inconsistent with the general purpose, spirit, and intent of the zoning law, which is the protection and promotion of the public health, safety and general welfare of the people of Guam

b. That there are exceptional circumstances or conditions applicable to the property involved or the intended use thereof that do not apply generally to other property in the same Zone;

Response: The property is located within an area that encourages multi-family activity as displayed by the "R-2" zoning designation. A reasonable transition from a vacant unmanaged lot, to the Pago Bay Marina Resort twin tower multifamily building, housing a managed community which places a premium on the property's unique origin and its sensitive land features; and is dedicated to their protection, is an appropriate use of this property. The height and density variance allows for reasonable use of the property while complying with the existing zoning requirements. These circumstances do not apply to other properties in the same area.

Ownership further submits that the subject lot is a child of "mother" Lot 155-NEW-R1, which developed at a density (i.e. 98 SF lots) significantly less than allowed by its R-2 zoning designation (i.e. 1,618 units). The public welfare is not harmed by the density variance considering that the 98 lots in Laguna and the 304 units in this application, if *considered as a whole*, total only 402 residential units, considerably less than the 1,618 residential units, if the "mother" lot is *considered as a whole*, allowed by the R-2 zoning designation (i.e. only 24%).

c. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located,

Response: The variances requested will not be materially detrimental to the public welfare or improvements in the neighborhood. Approval of the variances will allow this owner to significantly upgrade the neighborhood and its environment. The public welfare is elevated with an increase in new jobs created, and increased economic and tax revenues for the island. Ownership will remove trash, and regularly maintain the property. The project will contribute to neighborhood improvement in the form of a well developed, landscaped, and upgraded property. Moreover, the proposed density is well balanced as the building footprint is only 12% of the entire 6.87 acre property.

d. That granting of such variance(s) will not be contrary to the objectives of any part of the "Guam Master Plan" adopted by the Commission or Legislature, and

Response: The "Guam Master Plan" as shown in the Zoning Map allows the location of multi-family uses in the "R-2" zone. This request is in reasonable accordance with and not contrary to the plan.

e. That, as to variances from the restrictions of Section 6161 7, 21 GCA, the proposed building will substantially enhance the recreational, aesthetic or commercial value of the beach area upon which the building is to be constructed and that such building shall not interfere with or adversely affect the surrounding property owners' or public's rights to an untrammeled use of the beach and its natural beauty.

Response: The proposed building will substantially enhance the recreational, aesthetic, and commercial value of the beach area. Subsequent development of the property may be anticipated. However, ownership's plans will not interfere with or adversely affect the surrounding property owner's or public's rights to untrammeled use of the beach and its natural beauty.

We feel that this development is in association with the surrounding land uses and will not be adversely detrimental to the surrounding properties. We request your attention to the enclosures and look forward to presenting this application before the Commissioners of the Guam Land Use Commission.

We appreciate your time and effort in considering this application. Please contact me should you have any concerns or questions.

Si Yu'os Ma Ase'



Richard J. Sana, Associate Planner

A Duly Authorized Representative

Exhibits:

- A. Environmental Impact Assessment
- B. Affidavit of Authorization
- C. Site Plan and Elevation Drawings
- D. Map - Existing Zoning Within 1,000' Radius
- E. Map - Land Use Within 750' Radius
- F. Map - Property within 500' Radius
- G. Property Map
- H. Property Ownership Document

ZONE VARIANCE

TYPE OF VARIANCE REQUESTED:

☐ Use Variance
☒ Density Variance
☒ Height Variance
☐ Parking Variance

	Sign Variance	Setback Variance	Right Side	Left Side	Front	Rear
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		8'-0' ft	8'-0' ft	8'-0' ft	15'-0' ft	10'-0' ft

TO: Executive Secretary, Guam Land Use Commission

c/o Land Planning Division, Department of Land Management
 Government of Guåhan, P.O. Box 2950, Hagatna, Guåhan 96932

The Undersigned owner(s)/lessee(s) of the following described property hereby request consideration for a Zon
 Variance, pursuant to Section 61616-61623, Article 6 (Administration & Enforcement), Division 2 (Regulations c
 Real Property Uses), Chapter 61 (Zoning Law), 21 GCA Real Property.

1. Information on Applicant:

Name of Applicant: Guam Wangfang Construction, Ltd U.S. Citizen: ☒ Yes ☐ No
 Mailing Address: PO Box 6336, Tamuning, GU, 96931
 Telephone No.: Business (671) 472-6464 Home: _____

2. Location, Description and Ownership:

Subdivision Name: Unknown
 (s): 164-4NEW-1 Block: N/A Tract: Unk

Lot Area: Acres 6.87 Square Meters 27,825 Square Feet 299,505

Village: Yona Municipality: Yona

Registered Owner: Guam Wangfang Construction, Ltd

Certificate of Title No.: _____ Recorded Document No.: Quit Claim Deed Doc #867686

3. Current and Proposed Land Use:

Current Use: Vacant and Undeveloped Zoned: R-2

Proposed Use: Multi-Family Residences Proposed Zone: N/A

Master Plan Designation: Multi-Family

4. **Attach a one page** typed, brief and concise justification (letter format) explaining the compatibility of the
 proposed project with adjacent and neighborhood developments as they exist and the nature of variance
 request in accordance with *Guåhan Code Annotated 21 GCA, Chapter 61, Section 61617*.

a. That the strict application of the provisions of Section 61617, 21 GCA would result in practical
 difficulties or unnecessary hardship inconsistent with the general purpose and intent of the law;

ATTACHMENT: Section 61616 (Variance) – 61623 (Review by Municipal Planning Council) is attached for
 your information and guidance in preparing of your application and justification. For additional
 requirements, visit the Zoning Section, Land Planning Division.

ZONE VARIANCE

(Continuation):

- b. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use thereof that do not apply generally to other property in the same zone;
- c. That the granting of Variance(s) will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located;
- d. That granting of such Variance(s) will not be contrary to the objectives of any part of the "Guahan Master Plan" adopted by the Commission or Legislature; and
- e. That, as to Variance(s) from the restrictions of Section 61617, 21 GCA, the proposed building will substantially enhance the recreational, aesthetic or commercial value of the beach area upon which the building is to be constructed and that such building shall not interfere with or adversely affect the surrounding property owners' or the public's right to an untrammelled use of the beach and its natural beauty.

5. Supporting Information. The following supporting information shall be attached to this application:

- a. **Site Plan required:** Plans, drawn to scale, showing dimensions and shape of lot; lot size; size and location of buildings; locations and dimensions of proposed buildings or alterations;
- b. 8 1/2" X 14" map, drawn to scale, showing existing zoning circled within 1000 feet radius from the subject lot's boundaries.
- c. 8 1/2" x 14" map, drawn to scale, showing all parcels and their uses within 750 feet radius circled from the subject lot's boundaries. The map shall also contain:
 - (1) Lot number of every parcel(s);
 - (2) Identify by name and use all existing activities on all parcels(s);
 - (3) All adjacent inclusive and exclusive easements and roads to the property, their widths, and condition of surfaces;
 - (4) The nearest location of all public utilities to the subject lot;
 - (5) Any natural or topographic peculiarities.
- d. 8 1/2" X 14" map, drawn to scale, showing all parcels within 500 feet radius of the subject lot's boundaries. Each parcel shall be identified with property lot number.
- e. The most recent survey map, certified and recorded in the Department of Land Management, showing the subject property;
- f. An initial comprehensive *Environmental Impact Assessment (EIA)* in accordance with Executive Order 90-10, or *FONSI* if acceptable to GEPA in place of an *EIA*.
- g. Additional information as required by the Guahan Chief Planner.

Submit one set of the Application with all the supporting information listed above. Once the Application is reviewed and accepted, applicant must submit the required number of hard copies (32 sets) of the application and nine (9) copies of the Application in electronic format (example: in CD format, etc.)

- 6. Filing Fee: Seventy-Five Dollars (\$75.00)** filing fee for the first five pages, and \$.25 for any additional page, under Public Law 29-02, Chapter V, Part III (*Fees and Charges Assessed by the Department of Land Management*).

ZONE VARIANCE

Required Signatures: All legal owners/lessees of designated parcel shall sign form with name(s) typed or handwritten, signed and dated:

"I hereby certify that all information contained in this application and its supplements is true and correct. I also understand that any misrepresentation in this application shall void the entire submission. Further, that thirty-two (32) sets of the above listed required information is provided."

Guam Wangfang Construction, Ltd

(Owner(s) or Lessee(s) and Date)



Richard J. Sana, FC Benavente, Planners

7/19/15

(Representative, if any, and Date)

THIS FORM SHALL NOT BE MAILED. APPLICANT OR REPRESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT.

FOR OFFICIAL USE ONLY

Date Filed: _____ Accepted By: _____

Date of Notice in Newspaper(s): _____

Date of Notice to Adjacent Property Owners: _____

Date of Public Hearing: _____

Filing Fee(s) Paid (\$) : Yes ☐ No ☐ Check ☐ Cash ☐ Other ☐ _____

Receipt No.: _____ Application Number: _____

Date of GLUC Action: _____ Conditions: Yes ☐ No ☐ (See Below)

Conditions of Approval: _____

GLUC Resolution No.: _____ Date of Notice of Action: _____

B. Affidavit of Authorization

AFFIDAVIT OF AUTHORIZATION

I, John K. Sherman, PE, a resident of Guam, of legal age, and as the authorized representative of the owner of Lot 164-4NEW-1, Yona, located in the Municipality of Yona, Guam, through this instrument hereby depose and say the following:

1. That FC BENAVENTE, PLANNERS, Consultant, is hereby authorized to request the Guam Land Use Commission to review and consider this request for approval of a Zone Variance Application at the above mentioned location; and
2. That our authorized Consultant may conduct himself accordingly to arbitrate, negotiate, commit, revoke, represent, mitigate and abate the proposed project through all reviewing instrumentalities involved in the Zone Variance Application process.

In TESTIMONY THEREOF, I hereunto affix my signature to my deposition.


John K. Sherman, PE

A duly authorized representative of the owner of
Lot 164-4NEW-1, Yona, Municipality of Yona

ACKNOWLEDGEMENT

GUAM)

)ss.

City of Taramuning)

On this 15th day of July, 2015, before me personally appeared John K. Sherman, known to me as the person whose name is subscribed to this instrument and who acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I hereby lay my hand and affix my official seal on the day, month, and year aforementioned above.


Notary Public

TAMARA T. GUMABON
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: Aug. 27, 2015
Dooley, Roberts & Foyler, LLP
Ste. 201, Ocean Plaza
365 S. Marine Corps Dr., Taramuning, Guam 96913

GUAM WANFANG CONSTRUCTION LTD

Unit 108 Sunny Plaza
125 Tun Jesus Crisostomo Barrigada, Guam 96913
Tel: 4726464 Fax: 4726468
Email: reico@guam.net

March 23, 2015

AES Construction Co. Inc
PMB 296, Suite 101
1270 North Marine Corps Drive,
Tamuning, Guam 96913

Dear Mr. Sherman,

This Authorization letter is to serves as a confirmation to any Government of Guam and Federal authorities that AES Construction Co. Inc., Mr. John Sherman, Principal Engineer is authorized to represent Guam Wanfang Construction Ltd. to obtain entitlement from the Guam Land Use Commission for the purpose of developing the property described below for Condominium, Hotel and Resort Complex.

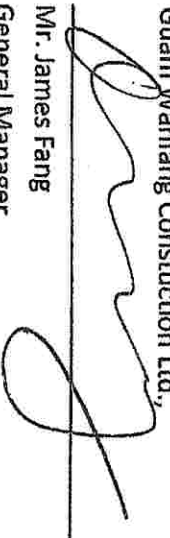
Lot Number 164-4NEW-1, Municipality of Yona

AES Construction Inc. has been retained by Guam Wanfang Construction Ltd. to assist in various professional service functions related to the development of this project which is known as Pago Bay Development Phase 3. This letter is to intended to serves as a general authority for the Firm, employees and associated professionals to represent the project to the public and Government Agencies. Therefore, the Firm is authorized to meet with various Government of Guam agencies, to discuss the all aspect of the project. These Government agencies includes, but not limited to, Guam Land Use Commission (GLUC), Government of Guam Planners DLM), Application Review Committee (ARC), various public utility agencies and any Federal Agencies with authorizes over the project.

This appointment commences as date of letter and will terminate upon obtaining building permit from Government of Guam, Department of Public Works.

Sincerely,

Guam Wanfang Constuction Ltd,



Mr. James Fang
General Manager

A. Environmental Impact Assessment

**Pago Bay Marina Resort
Zone Variance Application**

Short Form EIA

7/11/2015

Prepared By: FC Benavente, Planners

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA)
ENVIRONMENTAL IMPACT ASSESSMENT (SHORT FORM)

October 1999

GEPA has developed this EIA form for use by developers proposing projects or land use activities, which may pose only insignificant environmental impacts. This form is provided as an alternative to the EIA standard format provided to satisfy the requirements of Executive Order 96-26. If potential environmental impacts and issues are assessed or determined to be significant either by the applicant or GEPA, a more detail EIA may be required including a thorough presentation and discussion of alternatives as required by the *Guidelines for the Preparation of Environmental Impact Assessments and Statements* (GEPA October 1999).

This EIA format constitutes the minimum necessary assessment and disclosure of potential impacts for a project. This form may also be used as a preliminary scoping guide or checklist in consultation with the Agency.

Case No: 2015-29

Project Title: **Pago Bay Marina Resort - Zone Variance Application on Lot 164-4NEW-1, Yona.**

1. Name, address and business telephone of applicant:

Name: **Guam Wangfang Construction Ltd**
Address: **PO Box 6336, Tamuning, GU 96931**
Tel: **(671) 472-6464**

2. Name, title and telephone number of representative:

FC Benavente, Planners
127 Bejong Street
Barrigada, GU 96913
Tel: (671) 687-9865

3. Name, title and telephone number of EIA document preparer:

Richard J. Sana, Associate Planner
FC Benavente, Planners
127 Bejong Street
Barrigada, GU 96913
Tel: (671) 687-9865

4. Location of the proposed project: (include tract, block, lot, municipality and a location map)

Lot 164-4NEW-1 is located along Route 4 and the Pago River in Yona.



Figure 1. Aerial Vicinity Map Photograph Showing Location of Project Site.

5. Describe the general nature or type of proposed project:

This Zone Variance requests to allow a 15-story multi-family building and a 14-story multi-family building on the R-2 zoned property. The project envisions a residential marina resort development with a river front theme. No more than 300 residential units with 4 caretaker units are planned; along with accessory uses that support the basic amenity needs of the residents.

6. Are the following critical environmental factors affected by the proposed project? If yes, describe the impact and state why it would not be significant. If not affected, provide reasons why. If more space is required refer to and attach additional sheets.

d. Streams, lakes, or ponds:

Yes. The Pago River runs along the northeast boundary of the property. All consideration and sensitivity to this important natural asset have been considered, and efforts have been expended so that no negative impacts will occur.

e. Marine waters:

Yes. The property is adjacent to the marine waters of Pago Bay. Structures are sited well away from the shoreline and all consideration will be made to comply with laws and regulations for development.

f. Reef flats:

No. The property is not known to be within a reef flat.

g. Pristine forest:

No. The property is not close to or within a known pristine forest.

h. Critical habitat area:

No. A *Flora and Fauna Survey* was conducted in 2007 by ARC Environmental Services, Inc. and concluded that "... No rare or endangered flora was recorded or is believed to be present within the site. No threatened or endangered fauna were recorded during site survey activities. None are believed to live within or forage at the site. No part of the current critical habitat overlay is within the subject property" (See Exhibit A).

i. Wetlands:

No. The property includes 2 acres of known wetland area within its boundaries. An initial delineation was completed by ARC Environmental Services Inc. in May 2007. A recent update to that delineation was completed by the same company on June 2015 (See Exhibit B). The report discovered "... that a recent addition of a storm water conveyance and settling pond disposal system ..." is situated "...along the shoulder of Route 4. It appears to direct additional storm water flows into the original wetland area. This feature was not present during the original wetland delineation and

therefore had to be carefully accounted for during the current effort.”

An increase in wetland area of approximately 416 square meters was identified during the current update effort in the area of the discharge end of the new storm water swale and settling pond system where increased flows enter the low elevation areas along the wetland.

All consideration will be made to comply with laws and regulations for development.

j. Flood hazard area:

No. The property appears to be close to or within a designated flood hazard area. However, design features of the development are in compliance with GEPA and USCOE guidelines.

k. Archaeological feature(s) or historical sites:

Yes. An archaeological survey was conducted by M.A.R.C. of the University of Guam for data recovery from 2008 to 2009. Analysis of field data is ongoing. See End of Field Effort summary from Dr. John Peterson, Ph.D., M.A.R.C. Director (Exhibit C).

7. Will the project result in any of the following environmental or infrastructure impacts.

a. Production of toxic or hazardous waste:

No. Any effects during any site preparation will be temporary in nature and mitigation will be provided within the Environmental Protection Plan. Proper permits will be acquired as needed.

b. Dislocation of existing businesses, residents or public areas:

No. The property is presently vacant and undeveloped.

c. Production of air contaminants (temporary or permanent):

Yes. Any effects during site preparation and operation only be temporary in nature and mitigation will be provided within the Environmental Protection Plan. Dust control measures,

such as, dampening the soil or crushed rock when needed, will be practiced to minimize the generation of dust and keep within the allowable GEPA air pollution standards. Any machinery used on site will restrict work to the daylight hours and will possess functional mufflers.

8.

Will the project require an increase in the requirements for any of the following public service (provide estimated quantities or volumes)? If answering yes to any of these items you must describe how the impact affects current infrastructure capacity. In addition, if the applicant/developer proposes contributions or mitigation to offset impacts, describe the contribution or mitigation.

a. Drinking water:

Yes. However, this Zone Variance is expected to have minimal impact on water facilities.

The project will hook up to service lines constructed to connect to the closest main Guam Waterworks Authority water line along Route 4. Preliminary Utility Demand Calculations (See Attached Exhibit D) for potable water demand prepared by John Sherman, P.E., estimates that the proposed residential development will require an estimated average flow of 115,200 gpd. The projected daily demand would not significantly affect the island's potable water system.

b. Sewage disposal (public system):

Yes. However, this Zone Variance is expected to have minimal impact on sewerage facilities.

Preliminary Utility Demand Calculations (See Attached Exhibit D) for wastewater generation prepared by John Sherman, PE estimates that the proposed residential development will generate a daily average flow of 56.6 gpm, and daily peak flow of 142.0 gpm. This flow based upon 3.2 household @ 85% of 120 gallons/cap/day as daily flow. The projected wastewater flows will not significantly affect the island's wastewater system.

c. Vehicle traffic:

Yes. However, traffic generated by this Zone Variance is not expected to be significant. Access to the development will be located along Route 4, a major Guam highway.

d. Solid Waste:

Yes. Average individual waste generation (See Attached Exhibit D) is 4.40 pounds per person per day. However, the development will recycle and compost 34.1% of 4.40 pounds or 1.51 pounds. Thus the facility will generate 2,774 pounds of solid waste per day or 506 ton/year. Through active recycling, the facility will avert 265 tons per year from disposing to the landfill.

8

e. School System.

No.

9. Will clearing and/or grading be required (include the number of acres and a general description of site soil and slope conditions):

Yes. The total area of the property is 6.87 acres. There are some minor slopes within the property and the difference between high and low points may be less than 10'. During any site preparation, all storm water will be retained and controlled on site using temporary silt control basins. An Environmental Protection Plan including the Storm Water Control Plan will be prepared and submitted along with the building permit application.

Soils at the subject site are classified as Inarajan Clay 0 – 4% slopes. These soils are typically located along broad valley bottoms. Taxonomic class of Inarajan clay is very-fine, mixed, nonacid, isothermic Aeric Tropic Fluvaquents (USDA 1988). Inarajan clay soils often exhibit hydric soil characteristics and is considered to have a high water table between the months of July and December.

(Source: *US Department Of Agriculture, 1988. Soil Survey of Territory of Guam*)

10. Will the project utilize an individual waste water disposal system such as septic tank/leaching field system, secondary package treatment system... etc.?)

No.

11. Will the project include the use of above or below ground storage tanks for fuel or water?

No. There are none anticipated at this time.

12. Does the project require permitting; land resources, financial and or other assistance from the federal government (please provide type of permit, issuing agency, application dates, and contact person)?

No.

13. Does the project include any special or unique features that are not covered above?

No. The project does not include special or unique features not covered above.

If preliminary construction drawing, site plans, or related documents are available please provide such as attachments. For more information and assistance you may call GEPA Environmental Planning & Review Division at 475-1662/3.

DECLARATION BY APPLICANT

Based on this assessment, it is reasonable to expect that this project will not result in significant adverse environment impacts. I/we hereby declare a "finding of no significant impact".



Applicant (Signature)

Richard J. Sana, Applicant's Representative

7/19/15

Date

Providing false or misleading information in this assessment may constitute grounds for permit and EIA suspension or disapproval until such time as the applicant or document preparer makes all appropriate amendments or corrections as required by Guam EPA. Statements made in this form are binding for the purpose of environmental protection and the preparer and/or applicant is responsible for the timely implementation of protection and mitigation measures identified. Failure to fulfill stated avoidance, minimization or mitigation measures may also constitute grounds for Agency enforcement actions to the full extent of all applicable environmental regulations and statutes.

GEPA-EPR001 (12/12/96)

Exhibit A. Flora and Fauna Survey. Lot Nos. 155 NEW and 164 NEW (Pago Bay) Yona, Guam. ARC Environmental Services. October 2007.

Exhibit B. "End of Field Effort..." Summary letter. M.A.R.C., University of Guam. June 2009.

Exhibit C. Wetland Delineation Update. Lot 164-4NEW-1, Yona, Guam. ARC Environmental Services. June 2015.

Exhibit D. Utility Demand Calculations. John K. Sherman, PE. July 2015.

Exhibit A.

Flora and Fauna Survey

FLORA AND FAUNA SURVEY

Lot Nos. 155 NEW and 164 NEW (Pago Bay)
Yona, Guam



Submitted by:



ARC ENVIRONMENTAL SERVICES

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October 2007

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1.0 PURPOSE AND NEED FOR SURVEY

The subject property is legally described as Lot Nos. 155NEW and 164NEW Yona and encompasses a total of approximately 78 acres. The parcels are located south of the Pago River between Route No. 4 and the southern coastline of Pago Bay. The Villa del Carmen apartments are situated at the southern extreme of the property. Figure 1 is a vicinity map showing the subject property location.

The owners of the subject property are proposing a mixture of residential and commercial development. This survey was commissioned to develop an understanding of flora and fauna resources that currently exist on the subject property. The results of this survey will be incorporated into the project Environmental Impact Assessment.

2.0 GENERAL SITE DESCRIPTION

The general vicinity around the subject property is rural, generally featuring low density residential development patterns and large tracts of undeveloped land. To the north on the other side of the Bay, is the Pago Bay Estates, which includes a number of single family homes in an informal subdivision setting. At the hill top to the south are the Villa Del Carmen apartments, which is the single exception of multi-family development overlooking the bay and towards the village of Mangilao to the north. Figure 2 is a property map for the subject parcels.

The subject properties are irregularly shaped and generally defined by the coastline, Rt. 4 and the Pago River. Topography across the properties varies dramatically from coastal alluvial plains and shoreline habitat along the Pago River and the Pago Bay coastline, transitioning to elevated areas along the southern end of the embayment. A paved 2-lane public roadway (RT. 4) defines the western edge of the property.

3.0 BIOLOGICAL CHARACTERISTICS OF THE SITE

Field reconnaissance for the flora survey was conducted by ARC Environmental Services in September, 2007. This effort was initiated through a review of available aerial photographs followed by a routine traverse of the subject property to identify distinct habitat types/plant communities. Interior roads, survey transect lines, openings in the vegetation and the shoreline presented opportunities to survey the property.

3.1 Habitat Types and Vegetation

Three general habitat types are found on the subject property including Wetland (Swamp Forest), Strand (sandy Beach and Limestone) and Weed Community (Tangantangan Thicket). While variations occur in transition areas and isolated pockets, the three (3) categories above provide a general background against which additional detail can be established. A discussion of dominant vegetation is included within each habitat type below. Other plants recorded within the major habitat types are also mentioned. Table 1 is a list of some of the plants recorded within the subject property. Habitat classification follows (Fosberg, 1960) and plant taxonomy was guided by (Stone, 1970). Additional references were used and are outlined at the end of the report.

3.1.1 Weed Communities (Secondary Forest)

A tangantangan (*Leucaena leucocephala*) thicket covers the vast majority, perhaps as much as 90%, of the subject property. This secondary growth thicket was likely established following major disturbance caused by the US military during the development and operation of a rifle range. Further disturbance to the area is thought to have occurred in the early 1970s when a previous landowner mechanically cleared most of upland portions of the property.

This thicket is remarkably uniform over much of the property, except in the vicinity of the two beach access roads and in areas that were ranched or recently disturbed, where a variety of plants are found. In general the thicket extends from the edge of the nypa and pago dominated wetland/lowlands near the river in the north, all the way to the southern edge of the property below the Villa del Carmen apartments and from Route 4 in the west to the strand communities along the shoreline. In many areas beneath the tangantangan canopy, the fern *Polypodium scolopendria* and the woody vine *Derris trifoliata* were recorded. Figure 3 shows the major habitat types and the approximate outline of the areas dominated by tangantangan

Smaller plant communities within the thicket were observed in disturbed areas and interior paths. These locations included various plant species such as bamboo (*Bambusa sp.*), Chinese violet (*Asystasia gangetica*), wait-a-bit (*Caesalpinia major.*), Papaya, and combinations of vines, shrubs and grasses to include wild bitter melon (*Momordia charantia*), mikania (*Mikania scadens*), Eupatorium (*Chromolaena odorata*), *Canavalia cathartica*, foxtail (*Pennisetum polystachyon*), beggars tick (*Bidens alba*), guinea grass (*Panicum maximum*), and love vine (*Antigonon leptopus*). Along the interior dirt roads there are also a variety of ornamental and exotic plants including *Dracaena fragrans*, *Allocasia macrorrhiza*, ornamental bamboo, various *Philodendron* species and *Epipremnum pinnatum*. Often these plants were in the presence of solid waste piles and residential garbage.

3.1.2 Wetlands

At the northernmost edge of the subject property, (specifically Lot No. 155NEW), a swamp forest comprising of *Nypa fruticans*, is present. Nypa is an obligate wetland plant and within this plant community it is nearly monotypic. This nypa forest borders the Pago River and extends the entire length of the river bank from the Pago Bridge to the river mouth opening at the bay. It is periodically inundated by changes in tides and river flows. The soil is very loose alluvial material originating from the mountainous interior of the Pago River Valley. Pago (*Hibiscus tiliaceus*), tangantangan (*Leucaena leucocephala*), jewelvine (*Derris trifoliata*), and karisso (*Phragmites karika*) are also present at the inland edge of the nypa forest albeit in comparatively minor quantities. Figure 3 shows the nypa dominated wetland along the river.

3.1.3 Strand

Two distinct strand habitats were identified along the southern shoreline of Pago Bay. Sandy beach type strand habitat is found along the northern shoreline while coral limestone strand is present along the southernmost shoreline. Both habitats represent very narrow strips of land along the shoreline that appear to have been spared historical disturbance either as a result of proximity to the water or because of rugged conditions.

Half flower (*Scaevola taccada*), velvet leaf (*Tournefortia argentea*), beach morning glory (*Ipomoea pes-caprae*), pago (*Hibiscus tiliaceus*), and *Derris trifoliata* are the dominant plant

assemblages along the sandy beach strand. This mixture of plants transitions to tangantangan mixed with pago quite rapidly as one moves away from the shoreline.

Along the southeastern shoreline, topography changes dramatically with limestone walls and boulder outcroppings becoming the prominent landforms. Along this margin the dominant trees include *Cordia subcordata*, pago (*Hibiscus tiliaceus*), rosewood (*Thespesia populnea*) and *Psychotria mariana*. Understory species included, limeberry (*Triphasia trifolia*), half flower (*Scaevola laccada*), tangantangan and the abundant woody vine *Derris trifoliata*. Torchwood (*Bikta terrandra*), fish-kill tree (*Barringtonia asiatica*), nonak (*Hernandia sonora*), and screw pine (*Pandanus dubius*) were also present. The rocky shoreline and scattered boulders were often colonized by beach morning glory (*Ipomoea pes-caprae*) and nigas or (*Pemphis acidula*) which exists as a stunted shrub in high energy habitats where wind and salt spray are common.

Table 1
List of Flora Recorded at
Lot Nos. 155NEW and 164NEW Yona

Scientific Name	Common Name	Chamorro Name	Habitat
<i>Alocasia macrorrhiza</i>	giant taro	papao apaka/atolong	WC
<i>Arisaema triphyllum</i>			WC
<i>Asplenium nidus</i>			WC
<i>Asystasia gangetica</i>	chinese violet		WC
<i>Bambusa sp.</i>	bamboo	piao	WC
<i>Barringtonia asiatica</i>	fish-kill tree	puting	ST
<i>Bidens alba</i>	beggars tick		WC
<i>Bikita tetrandia</i>			ST
<i>Caesalpinia major</i>	wait-a-bit	pakao	WC
<i>Callicarpa candicans</i>		hamlag	ST
<i>Canavalia cathartica</i>			WC
<i>Carica papaya</i>	wild papaya	papaya	
<i>Chromolaena odorata</i>	eupatorium	masigsig	WC
<i>Citrus sp.</i>	lime		WC
<i>Cocos nucifera</i>	coconut	niyok	WL, WC, ST
<i>Colubrina asiatica</i>		gasoso	WC
<i>Corolla subcordata</i>			ST
<i>Cyperus difformis</i>			ST
<i>Derris trifoliata</i>		bagin	WL, WC, ST
<i>Dracaena fragrans</i>			WC
<i>Eleusine indica</i>	goosegrass	umog	WC
<i>Epipremnum pinnatum</i>			WC
<i>Erythrina variegata</i>	coral tree	gaogao	ST
<i>Ficus prolixa</i>	strangler fig	Nunu	ST
<i>Fimbristylis cymosa</i>	false rattan	bejuco-halum-tano	ST
<i>Flagellaria indica</i>			WC, ST
<i>Hernandia sonora</i>			
<i>Hibiscus tiliaceus</i>	sea- hibiscus	nonak	ST
<i>Hymenocallis pedalis</i>	spider lily	pago	WL, WC, ST
<i>Ipomea pes-caprae</i>	beach morning glory	alaglag-tasi	ST
<i>Leucaena leucocephala</i>	haole koa	tangantangan	WL, ST, WC
<i>Momordia charanitia</i>	wild bitter melon	almagosa	WC
<i>Mikania scandens</i>	mikania		WC
<i>Nypa fruticans</i>	nipa		WL
<i>Pandanus dubius</i>		kafu	ST

Lot Nos. 155NEW and 164NEW Yona

<i>Panicum maximum</i>	guinea grass		WC,ST
<i>Pennisetum polystachion</i>	foxtail	nigas	ST
<i>Pholidendron sp.</i>		sakati	WC
<i>Phragmites karka</i>	reed	karriso	WC
<i>Pluchea sp.</i>			WL, ST
<i>Polypodium scolopendria</i>			WC
<i>Psychotria mariana</i>		aploghating	ST
<i>Pteris vittata</i>			WC
<i>Scaevola taccada</i>			
<i>Sporobolus virginicus</i>	saltgrass	nanaso	ST
<i>Stachytarpheta jamaicensis</i>	false verbena	totoput	ST
<i>Stenotaphrum secundatum</i>	st. augustine grass		WC
<i>Stiocardia filifolia</i>			ST
			WC
<i>Thespisia populnea</i>	rosewood	banalo	
<i>Tournefortia argentea</i>	velvet leaf	hunuk	WC
<i>Triphasia trifolia</i>	limeberry	lemondichina	ST
			ST
<i>Wedelia biflora</i>		masigsig	ST

3.2 Wildlife

The presence of fauna inhabiting the subject property was recorded while accomplishing the flora portion of the survey. Forays were occasionally made into available paths, existing survey transects and forest openings to provide additional detail.

Fauna recorded as present during the survey was limited to land crabs (*Cardisoma carnifex*), hermit crabs (*Coenobita sp.*), fiddler crabs (*Uca crassipes*) a monitor lizard (*Varanus indicus*), the marine toad (*Bufo marinus*), various skinks, a single migratory bird species the whimbrel (*Nyctanassa phaeopus*), and the yellow bittern (*Ixobrychus sinensis*). The scarcity of wildlife on the subject property likely is a result of a combination survey times, the reclusive nature of wildlife and the barrier that Route 4, the bay waters and the river represents to movement of wildlife from adjacent areas to and from the subject property.

Although not observed a number of other inhabitants may also occupy or forage within the subject property. These wildlife inhabitants may include; the roof rat (*Rattus rattus*), the brown tree snake (*Boiga irregularis*), the occasional deer (*Cervus marinus*) and feral pigs (*Sus scrofa*). Species of skinks, geckos, the blind snake (*Ramphotyphlops braminus*), mudskippers (near the nyra swamp) and the coconut crab (*Birgus latro*) were not observed but are common residents in similar habitats.

3.3 Endangered Species and Protected Habitat

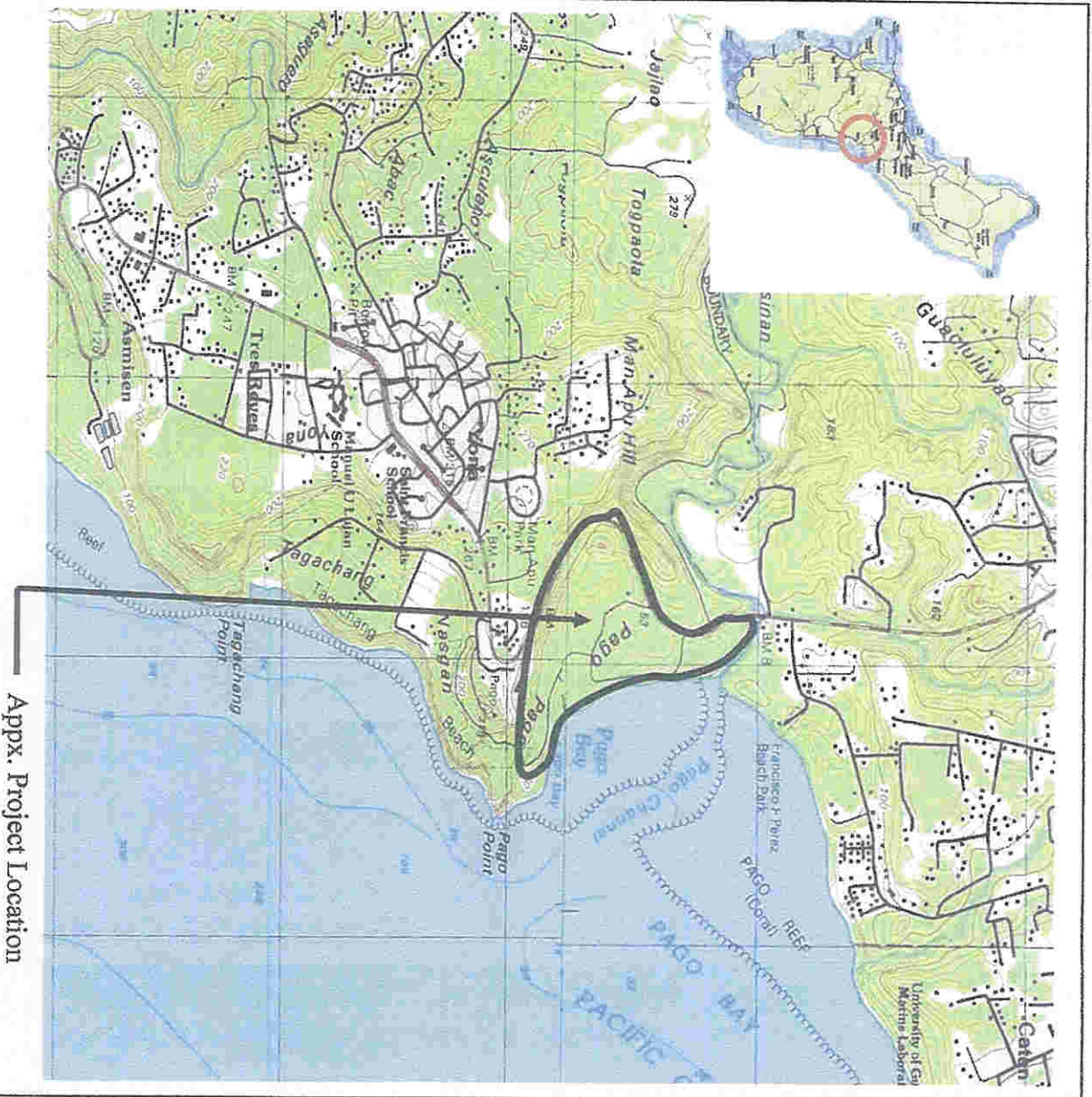
Vegetation within the subject property has been dramatically impacted in the past as a result of human activities. No rare or endangered flora was recorded or is believed to be present within the site. No threatened or endangered fauna were recorded during site survey activities. None are believed to live within or forage at the site. No part of the current critical habitat overlay is within the subject property.

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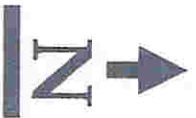
Appendix A

Figures



Appx. Project Location

Source: USGS

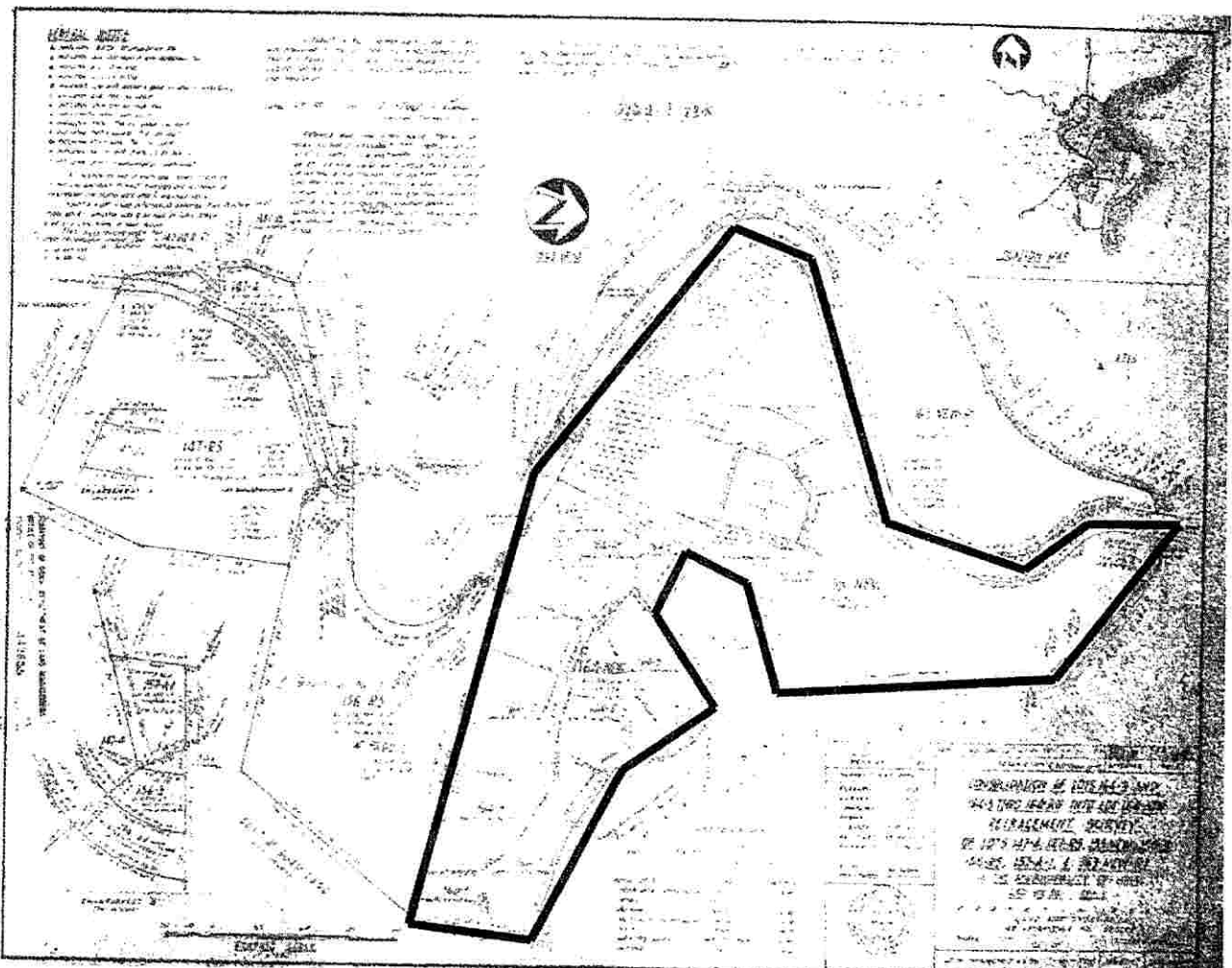


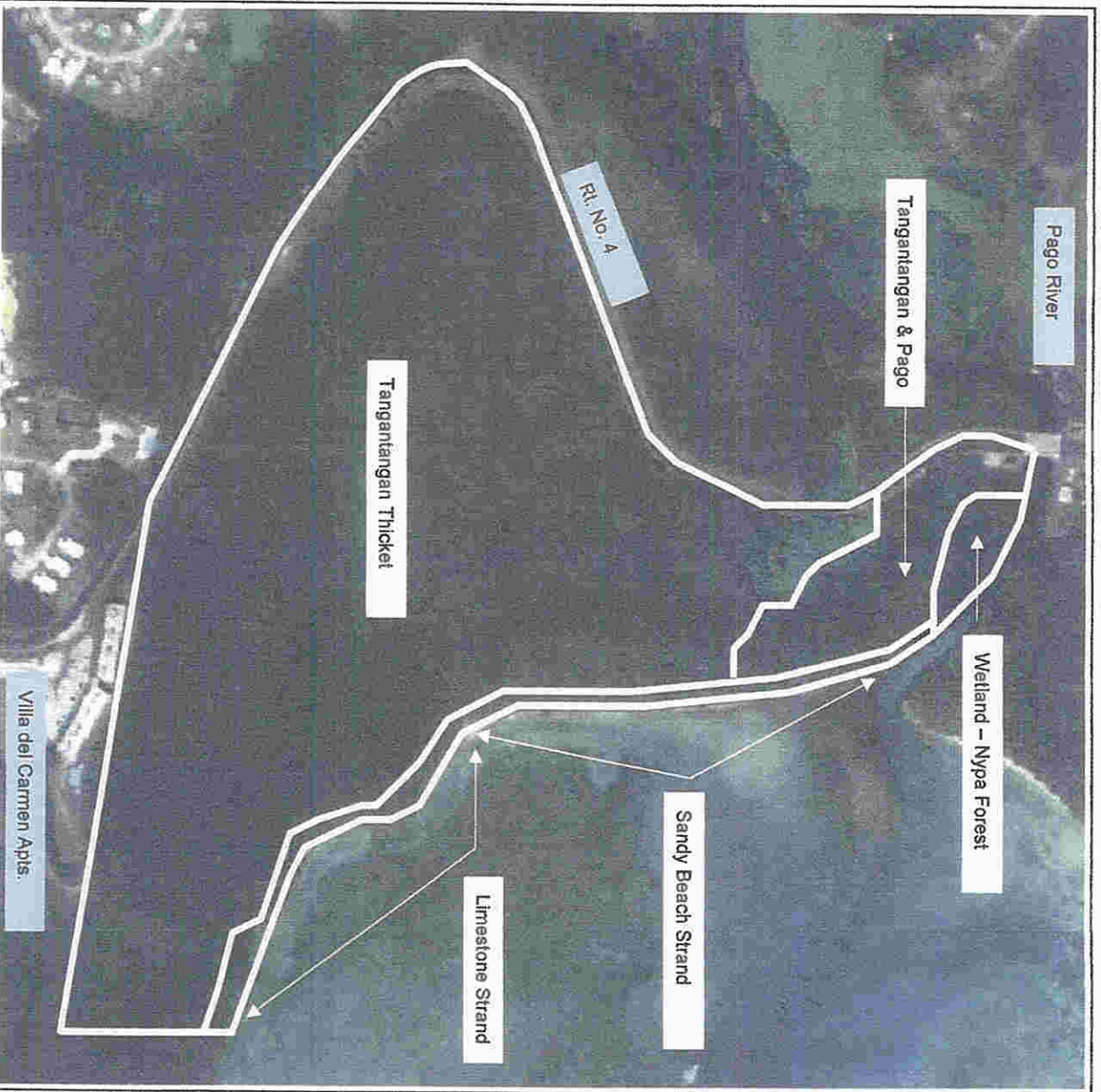
Vicinity Map
Lot Nos. 155NEW and 164NEW Yona

ARC
Environmental Services

Date
September 2007

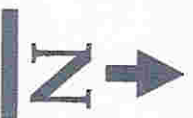
Figure No.
1





Aerial Photo Source: John Jocson, 2005

— = General Habitat Boundaries



Habitat Types

Lot Nos. 155NEW and 164NEW Yona

ARC

Environmental Services

Date
September 2007

Figure
3

Appendix B

Photographs

1A



1B



1A: View of subject property from the north, Villa Del Carmen in background
1B: View Villa Del Carmen, tangantangan dominated subject property

Date
September 2007

Photo Plate

1

ARC Environmental Services

2A



2B



2A: View of northern edge of property along the Pago River, nypa forest

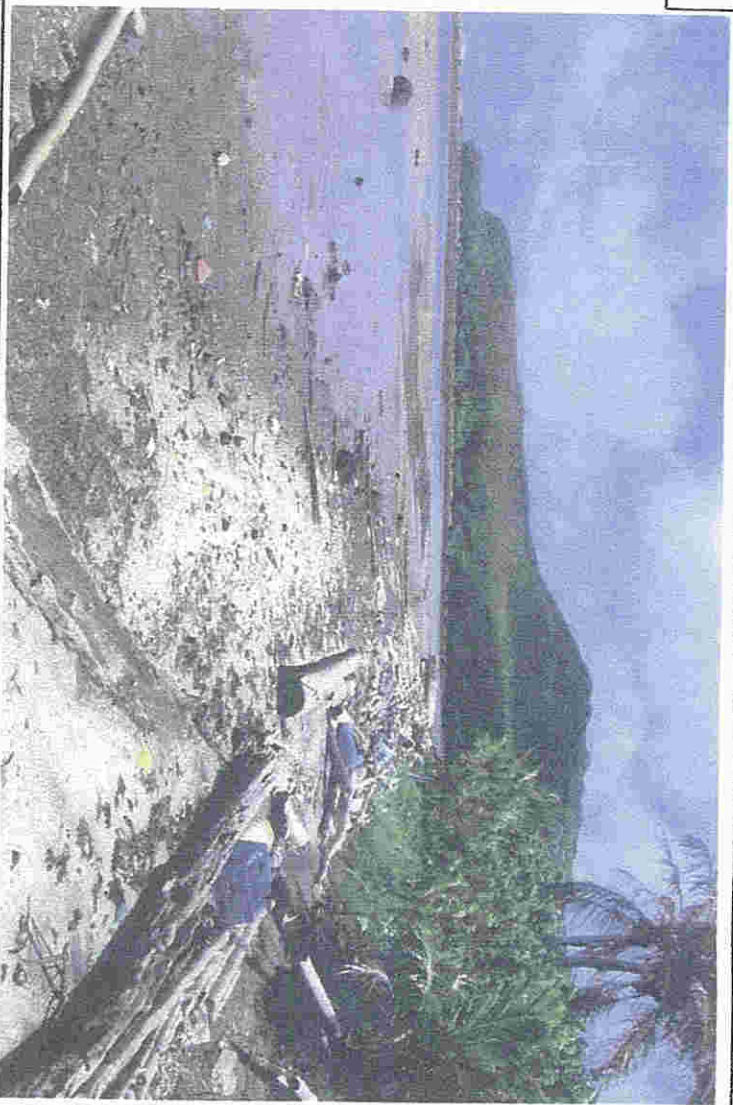
2B: View from south towards the Pago River, tangantangan dominated areas in the foreground and pago/tangantangan with nypa forest in the rear

ARC Environmental Services

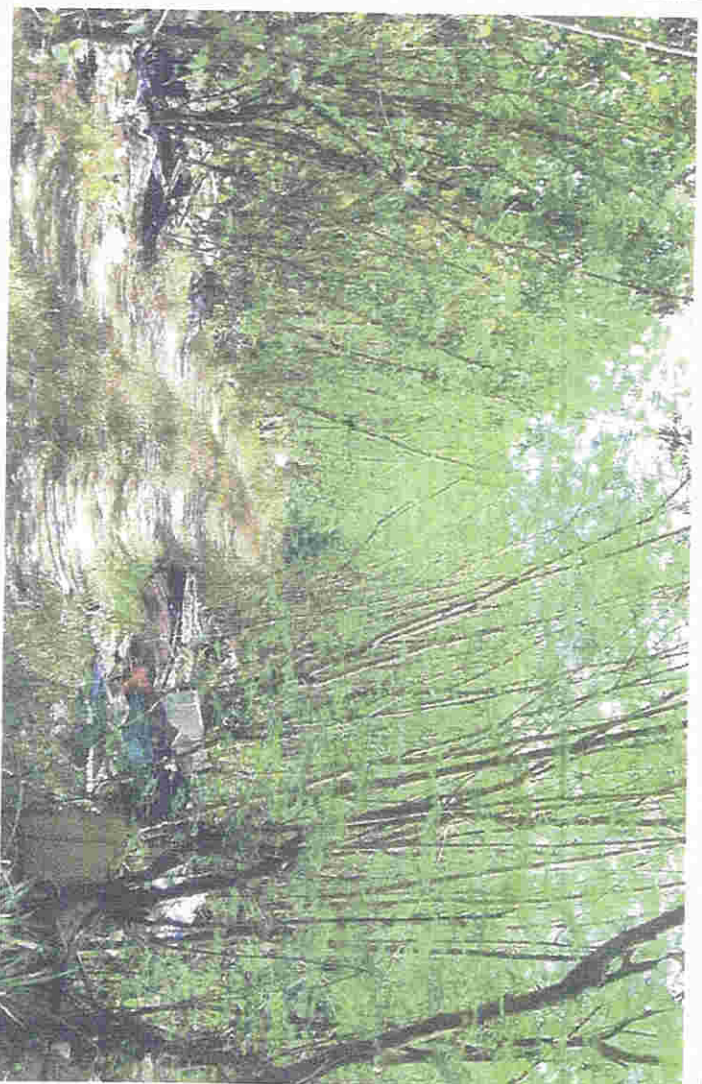
Date
September 2007

Photo Plate
2

3A



3B



3A: Pago Bay sandy beach strand habitat foreground w/limestone strand habitat in the background

3B: Typical solid waste and garbage piles along dirt access road

ARC Environmental Services

Date
September 2007

Photo Plate
3

Exhibit B. “End of Field Effort...” Letter



Richard Flores Taitano
Micronesian Area Research Center
M • A • R • C
University of Guam • Unibersidad Guahan



June 29, 2009

MAILED

John Tarantino
John K. Sherman, P.E.
Mr. Fong Wu
Sunny Plaza
1350 N. Marine Drive, Suite 216
Tamuning, Guam 96911

SUBJECT: End of field effort for archaeological data recovery parts I and II at the Pago Bay
Resorts development, Guam

Dear Messrs:

We are pleased to inform you of the conclusion of archaeological field effort for all phases of effort including data recovery for Block 155 NEW R-1 treatment procedures. The field effort was performed during January 2008 through March 2009. The field effort conformed with our recommendations in the *END-OF-FIELD REPORT FOR LOT NO. 155 NEW and PLAN FOR LOT NO. 164 NEW AND 164-4 for Archaeological Phase I and Phase II Inventory and Evaluation Survey; Pago Bay Development*, Guam (January 30, 2008) and the *Data Recovery Plan for Lot 155 NEW R-1* (March 21, 2008) that were submitted and reviewed for this project. In addition, we have completed the data recovery recommendations for Lots No. 164 and 164-4 that were proposed in, *DATA RECOVERY PLAN For Lots 164 NEW and 164-4, Pago Bay Development, Guam*, May 27, 2008. In this latter plan Site 7, a hillslope agricultural field, was documented through intensive surface survey, excavation, and paleoenvironmental analyses.

Effort on this portion of the entire Pago Bay Resorts project consisted of excavation of the equivalent area of 10 ~ 2 x 2 meter square hand unit excavations on the Pago Site; eight 1 x 1 meter hand unit excavations at the base of the escarpment; six shovel tests on the coastal strand out of approximately 160 on the entire Block 155 NEW R-1; and a 10 meter power shovel trench x two meters wide and two meters deep on the Pago River floodplain. Two 2 x 2 meter units were excavated in portions of Block 164 to recover data from areas with surface artifact scatters.

Photodocumentation of the 3d Division Marine Rifle Range has preserved aspects of the range, though it had been largely degraded and transformed by subsequent development projects. Exhaustive research at NARA and Port Hueneme archives failed to recover additional documentary material on the range.

Twelve highly disturbed human burial features were encountered during this project in units along the ridge in Pago 1 Site. No burials or intact subsurface deposits were found on the coastal strand. We presented a burial plan for review and will supplement that with a plan for a structure for reburial to be located at the base of the escarpment south of the Pago River. This

plan will be presented in the draft final report for the overall report, followed by a reburial ceremony and perpetual dedication of the structure.

The results of shovel tests and 2 x 2 meter units on the Pago site indicate that the site has been highly degraded, probably by successive residential development projects from the 1980s onward. There is a moderately dense scatter of Latte period and Protohistoric period pottery and ground stone on the surface, and this continues in subsurface deposits down to as deep as 30 cm when limestone bedrock is encountered at its deepest level in the units. No intact features were encountered.

The 10 meter long backhoe trench on the floodplain exposed 50 cm of sand and gravel overburden that capped unconformably a very dark A-horizon (20-30 cm) over an Argillic Bt horizon with heavy dark brown clay and occasional lenses of limestone gravels over a massive tropaeptic clay down to approximately 140 cm below ground surface; over a reduced clay - gravel stratum down to 200 cm below ground surface intermixed with gley at the bottom of the trench. The floodplain appears to have had wetter periods in its formation up until possibly a few hundred years ago when it was a stable floodplain soil with occasional overbank deposition, and which was then completely buried by 50 cm of sand and gravel, probably within the last 30 years associated with development on the upland and adjacent Pago Site.

A paleoenvironmental core was collected from the Pago wetland in April. Detailed analysis of the core indicate that there was rapid deposition in the floodplain following A.D. 1000: sediments from this age were found at 2.0 meters depth. Paleoenvironmental sampling demonstrate that taro farming was conducted upstream in the Pago River valley during this period. That work completes the treatment of adverse effect to this portion of the Pago Bay Resorts property. The wetland will not be impacted by this phase of development and so is not urgent before development continues in the rest of the property. These findings however complement the results of studies of the agricultural field Site 7 which was used for *guddao* production, and show that Pago Village was the nexus of a diverse horticultural/agricultural environment.

Our various analyses of the data are now underway, and we will provide a draft report for review in the near future. Meanwhile, we recommend that our effort satisfies the need for mitigation of the proposed construction work on Block 155 NEW R-1 for areas that are proposed for development. We have recovered sufficient data from what remains intact in on the property to address the research questions that we identified in the *Data Recovery Plan*. We anticipate that the result will contribute to our knowledge and understanding of Latte period and Protohistoric settlement in Guam, especially when compared with results of archival documentary research.

We look forward to provide a full technical report in the near future. Meanwhile, please contact me if you should have any questions or concerns about the project.

Sincerely,



John A. Peterson, Ph.D.
Director

cc: Vic April, Territorial Archaeologist, GHRD

Exhibit C. Wetland Delineation Update.

WETLAND DELINEATION UPDATE

**Lot No. 164-4NEW-1
Yona, Guam**



Submitted by:



ARC ENVIRONMENTAL SERVICES

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June 2015

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Figure 2:	2007 and 2015 Site Conditions
Figure 3:	National Wetlands Inventory – Wetlands Mapper
Figure 4:	Soil Survey of Guam
Figure 5:	Wetland Diagram

Appendices

Appendix A –	Data Sheets
Appendix B –	Wetland Delineation Map

I. INTRODUCTION

The purpose of this delineation is to update the 2007 delineation of Lot No. 164-4NEW-1 (formerly referred to as 155-NEW-R1) in Yona, Guam (the subject property). Completion of this wetland delineation update will allow the property owner to properly consider wetlands issues when planning development of the subject property.

The subject property comprises much of the coastline between Route 4 and the Pago Bay shoreline south of the Pago River. Figure 1 is a vicinity map showing the general location of the subject property.

The initial delineation was completed by ARC Environmental Services Inc. in May, 2007. The United States Army Corps of Engineers (USACE) representative Mr. Frank Dayton and the Guam EPA representative Mr. Edwin Aranza inspected the site and provided concurrence of the boundaries under the original 2007 delineation. The updated delineation results contained herein were inspected by Mr. Peter Terlaje (Guam Department of Agriculture) and Mr. Ray Calvo (Guam EPA) on June 9, 2015.

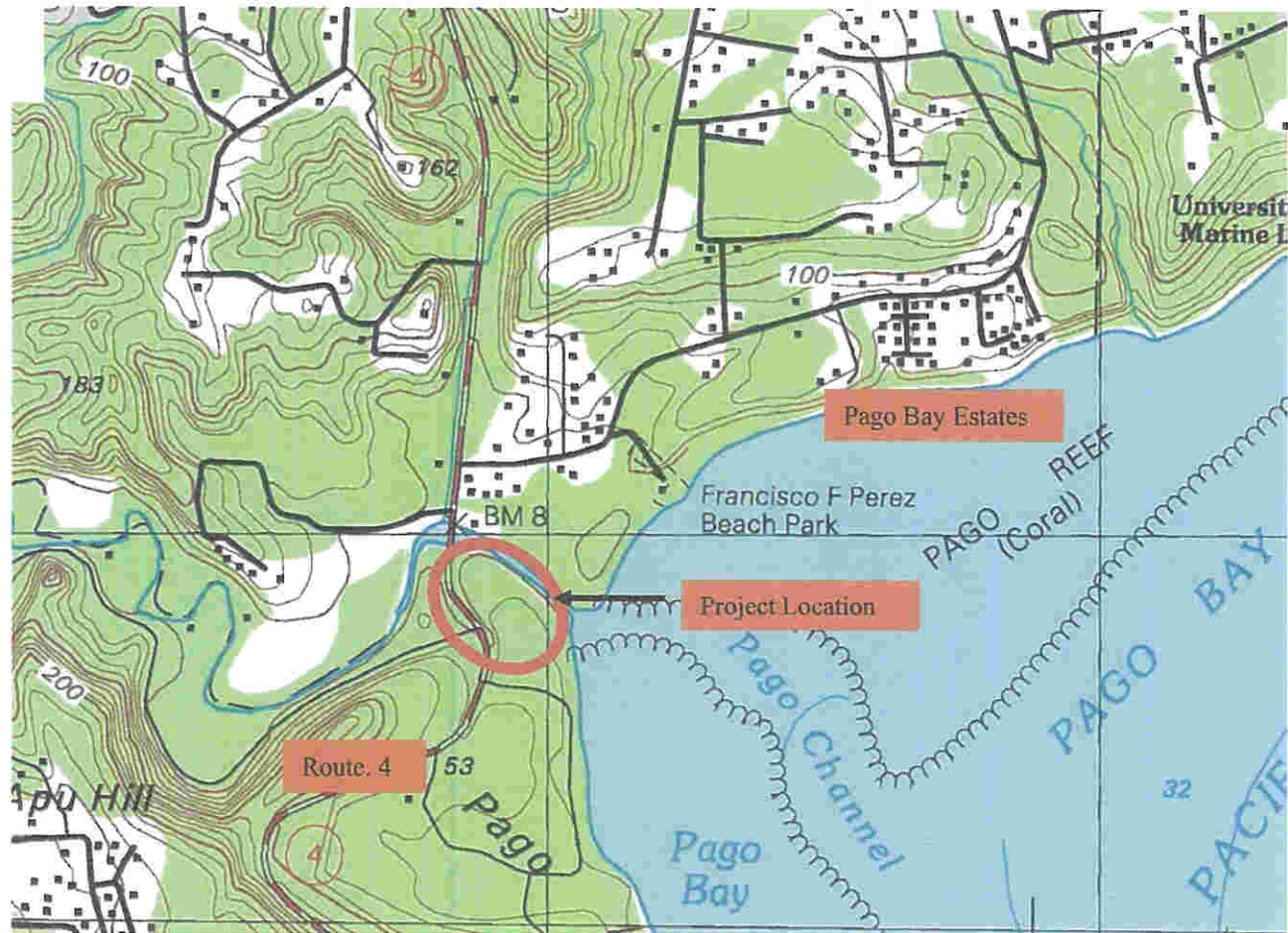
II. METHODS

While the original 2007 delineation was completed using the 1987 USCOE manual and methodology for routine determinations, areas less than or equal to 5 acres in size, the current delineation update was completed using the USCOE 2010 Interim Regional Supplement for Hawaii and the Pacific Islands which supplements the 1987 manual.

The update effort was initiated by re-establishing all the original wetland points in the field using a registered surveyor. The original wetland boundary was then inspected on foot. During the inspection, signs of hydrology and vegetation that might imply changes in the original 2007 boundary were noted. In some cases the original wetland flagging was rediscovered after 8 years and several storms. A recent addition of a storm water conveyance and settling pond disposal system along the shoulder of Route 4 was noted as a change in conditions. It appears to direct additional storm water flows into the original wetland area. This feature was not present during the original wetland delineation and therefore had to be carefully accounted for during the current effort.

After inspecting the entire length of the original wetland boundary, it was noted that the forested area immediately down gradient of the swale discharge merited study. The presence of standing water outside the original wetland boundary in the area of the swale discharge point, suggested the need to establish a new wetland data point.

When conducting wetland delineations, dominant vegetation in the area is identified and recorded. When necessary, taxonomic guides were used to verify identification (Lee, 1985; Stemmermann, 1981; Moore et al., 1977; Stone, 1969; Raulerson and Rinehart, 1992).



Source: USGS

Lot No. 164-4NEW-1
Location/Vicinity Map

ARC Environmental Services

Date
June 2015

Figure No.
1

Soil test pits are excavated to a depth of minus 16" at field data collection/sampling points, and the matrix soil color and color of gley and mottles for each sample were identified using a Munsell Soil Color Chart (Munsell Color, 1994). Indicators of wetland hydrology are recorded on data sheets for each field data collection point. All field data and observations are used to establish a wetland boundary.

III. RESULTS AND DISCUSSION

A. Description of Site

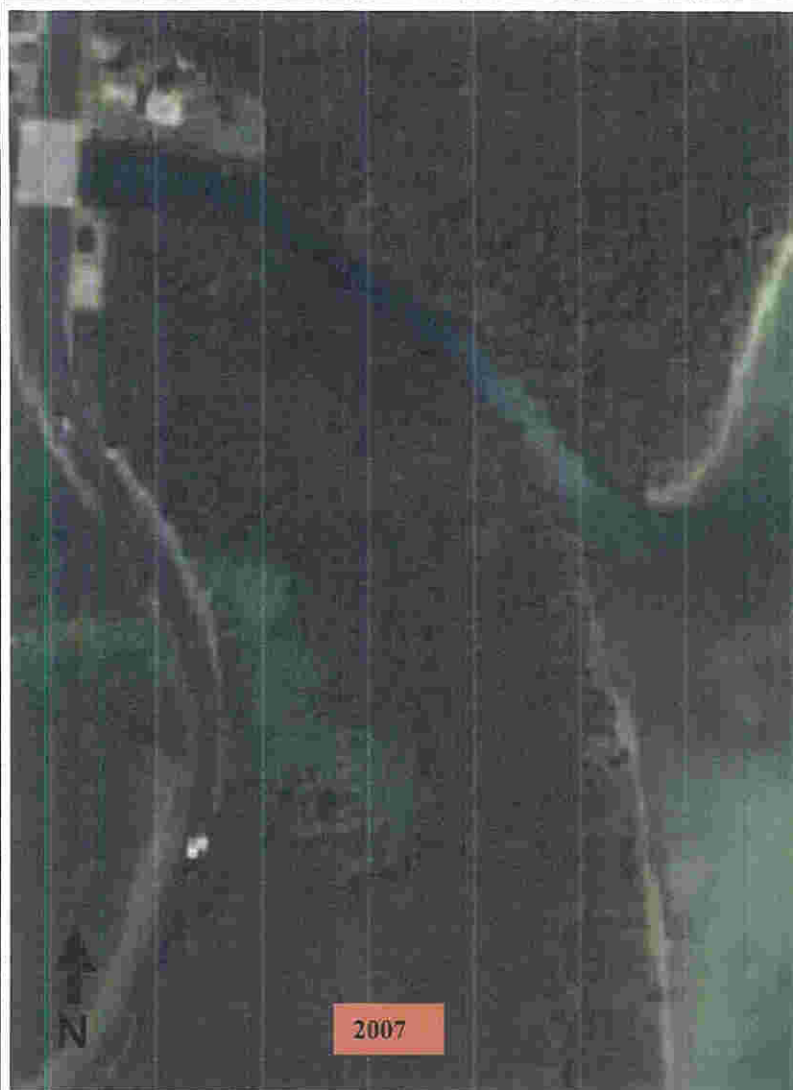
The subject property is located immediately south of the Pago River. Areas closest to the river are lowest in elevation and exhibit signs of regular inundation. A distinct obligate wetland community of *Nypa fruticans* remains present along the bank of the river where river flow and tidal influence regularly saturate or inundate this obligate wetland plant community. As one proceeds away from the river toward the south a forested area featuring *Hibiscus tiliaceus* and *Leucaena leucocephala* with either *Derris trifoliata* or *Canavalia cathartica* is still present, however it has been reduced through earth moving activities. Further south and up-gradient a *H. tiliaceus* forested that was previously present has been graded and the area elevated in preparation for development. Figure 2 shows site conditions during the original delineation and current conditions around the wetland area originally identified.

The U.S. Fish and Wildlife Service's National Wetland Inventory Maps for the island indicate a seasonal forested broadleaved evergreen wetland (PFO3C) in an area along the south bank of the river. Figure 3 is a portion of the National Wetland Inventory map database obtained from the USFWS Wetland Mapper website June 8, 2015.

1. Soils

According to the Soil Survey of Guam (USDA, 1988), soils at the subject site are classified as Inarajan Clay 0 – 4% slopes. These soils are typically located along broad valley bottoms. Taxonomic class of Inarajan clay is very-fine, mixed, nonacid, isohyperthermic Aeric Tropic Fluvaquents (USDA, 1988). Inarajan clay soils often exhibit hydric soil characteristics and is considered to have a high water table between the months of July and December. Figure 4 includes a portion of the Soil Survey Map that covers the subject property.

Wetland Data Point No. 1 was established following the inspection of the original wetland boundary alignment. It was located just down gradient of the discharge end of the new swale/settling pond feature shown on Figure 2. During the June 3rd field visit, this area exhibited a high water table, drainage patterns in wetlands, fiddler crab burrows and other cues hinting at a potential need to alter the original wetland boundary.



Source: GoogleEarth 2015

2007 and 2015 Site Conditions

ARC Environmental Services

Date
June 2015

Figure No.
2



U.S. Fish and Wildlife Service

National Wetlands Inventory

Wetland Mapper
PB Update

Jun 8, 2015



Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other



User Remarks:

None

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or completeness of the data shown on this map. All wetland-related data should be used in accordance with the layer metadata found on the Wetland Mapper web site.

Lot No. 164-4NEW- 1

National Wetlands Inventory (Wetland Mapper)

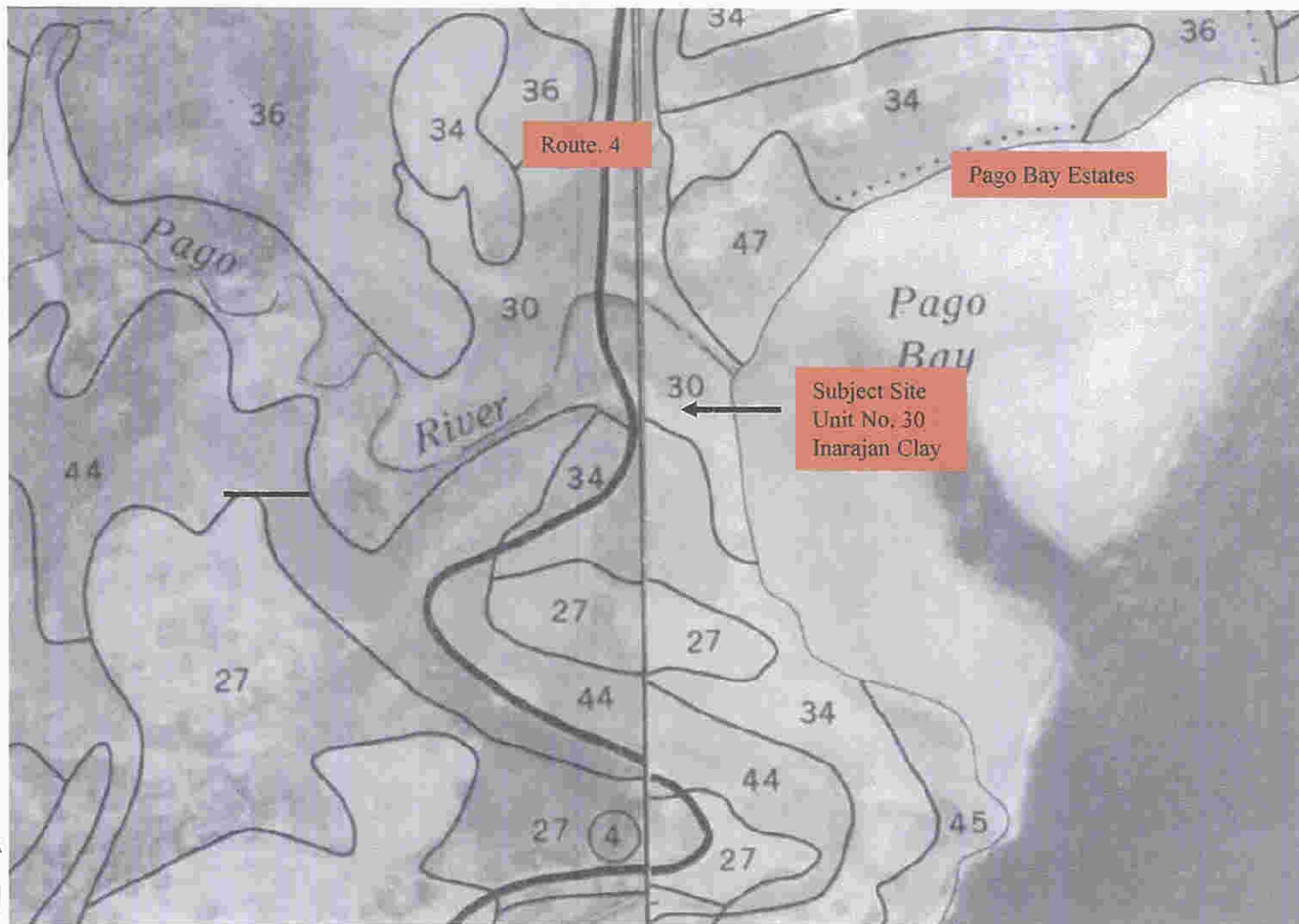
ARC Environmental Services

Date

June 2015

Figure No.

3



Source: USDA - SCS

Lot No. 164-4NEW- 1
Soil Survey of Guam

ARC *Environmental Services*

Date
June 2015

Figure No.
4

Soils were recorded as meeting the criteria to be classified as F3 Depleted Matrix according to the guidelines set forth in the USCOE 2010 Interim regional Supplement. Specific soil layer details are presented on the data sheet in Appendix A.

2. Vegetation

The most conspicuous plant community in the project area continues to be the obligate *Nypa fruticans* forest along the southern bank of the river. This *Nypa* forest extends from the river bank at the NW corner of the subject property to the shoreline where the river meets the Pago Bay coastline. Other important plants remaining in the area include *Hibiscus tiliaceus*, *Cocos nucifera* (Coconut), *Derris trifoliata* (Sewelvine) and *Leucaena leucocephala* (Haole koa).

The vegetation around Data Point 1 was found to be composed of 67% facultative or wetter species and therefore met the criteria for a wetland from a vegetation composition standpoint. Only a tree and woody vine stratum were present likely due to periodic ponding. The field data sheet in Appendix A provides details regarding the plant species used to determine whether or not the sample point qualified as a wetland point.

3. Hydrology

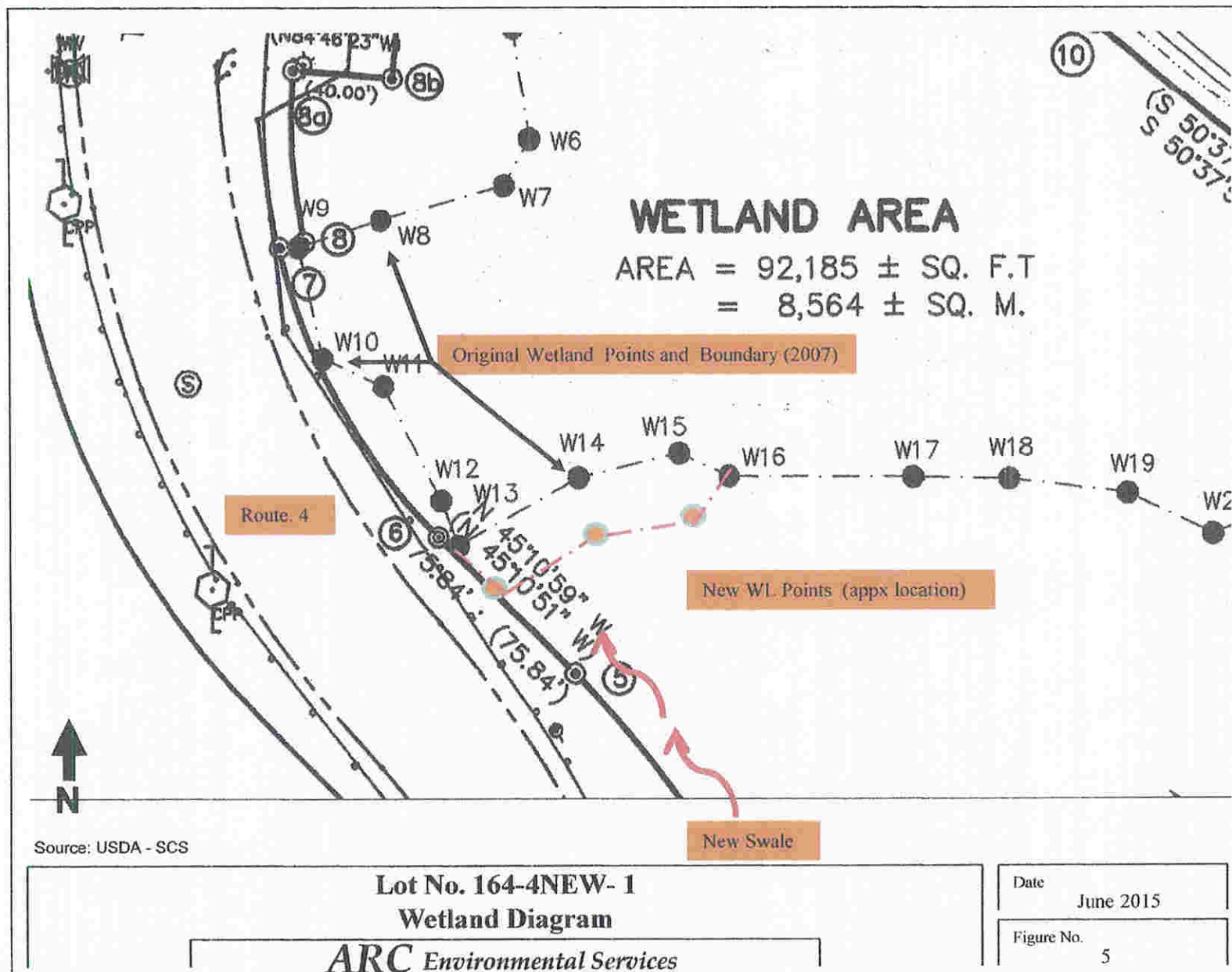
Field activities were conducted in early June 2015 during the transition from the dry to rainy season on Guam. Primary indicators of wetland hydrology at Data Point No. 1 included a high water table to 8 inches from the surface and saturation to 4 inches from the surface. Additionally, aquatic fauna (fiddler crabs and associated burrows), water stained leaves were also noted. Secondary indicators included sparsely vegetated concave surface, drainage patterns and geomorphic position.

B. Findings

The original wetland comprising 8,564 SM identified along the edge of the Pago River on Lot No. 164-4NEW-1 in 2007 remains present. An increase in wetland area of approximately 416 square meters was identified during the current update effort in the area of the discharge end of the new storm water swale and settling pond system where increased flows enter the low elevation areas along the wetland. The new wetland map is shown in Appendix B. Figure 5 is a rough diagram depicting the change of the original 2007 wetland alignment.

IV. CONCLUSION

Wetlands were identified as remaining present along the river bank on Lot No. 164-4NEW-1. A total of approximately two (2) acres of wetlands were mapped as remaining on site. These wetlands continue to be influenced by river levels and tidal activity. New storm water inputs are likely the source of a minor expansion in wetland area along the



border of fill and in the general proximity of the discharge end of a newly installed storm water conveyance system.

This updated delineation will provide the property owner and other interested parties with the location of wetlands present on the subject property. Any construction or development activities should be planned to avoid encroaching into the wetland areas, and must proceed following applicable Government of Guam and Federal Government regulations.

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Appendix A

Data Sheets

WETLAND DETERMINATION DATA FORM - Hawaii and Pacific Islands Region

Project/Site: Lot No. 1164 - ANEW-1 City: Yona Sampling Date: 6/3/15 Time: 0740
 Applicant/Owner: Ferner Pass Boy Resort State/Territory: Guam Island: Guam Sampling Point: 1A
 Investigator(s): JOEL S. ADAM TM/Parcel: _____
 Landform (hillside, coastal plain, etc.): coastal plain Local relief (concave, convex, none): NEARLY CONVEX
 Lat: 13° 25' 16.15" N Long: 149° 04' 02.14" E Datum: _____ Slope (%): _____
 Soil Map Unit Name: luwajyan clay 0-40% slopes NWI classification: PT03C
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)
 Are Vegetation N Soil H or Hydrology N significantly disturbed? Are Normal Circumstances present? Yes ☒ No ☐
 Are Vegetation N Soil N or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soil Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

Remarks:

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: <u>30'x0'</u>)	Absolute % Cover	Dominant Species?	Dominant Indicator Status	Dominance Test Worksheet
1. <u>Hibiscus tiliaceus</u>	<u>75</u>	<input checked="" type="checkbox"/>	<u>FLD</u>	Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A)
2. <u>Leucaena leucocephala</u>	<u>20</u>	<input checked="" type="checkbox"/>	<u>TUP</u>	Total Number of Dominant Species Across All Strata: <u>3</u> (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>167%</u> (AB)
4. _____	_____	_____	_____	Prevalence Index Worksheet:
5. _____	<u>95</u>	_____	_____	Total % Cover of: _____ Multiply by: _____
Shrub/Strub Stratum (Plot size: <u>5'x0'</u>)	_____	_____	_____	OBL species: <u>x 1 =</u>
1. _____	_____	_____	_____	FACW species: <u>x 2 =</u>
2. _____	_____	_____	_____	FAC species: <u>x 3 =</u>
3. _____	_____	_____	_____	FACU species: <u>x 4 =</u>
4. _____	_____	_____	_____	UPL species: <u>x 5 =</u>
5. _____	<u>0</u>	_____	_____	Column Totals: _____ (A) _____ (B)
Herb Stratum (Plot size: <u>5'x0'</u>)	_____	_____	_____	Prevalence Index = B/A = _____
1. _____	_____	_____	_____	Hydrophytic Vegetation Indicators:
2. _____	_____	_____	_____	1 - Rapid Test for Hydrophytic Vegetation
3. _____	_____	_____	_____	2 - Dominance Test is >50%
4. _____	_____	_____	_____	3 - Prevalence Index is >3.0
5. _____	_____	_____	_____	Problematic Hydrophytic Vegetation? (Explain in Remarks or in the delineation report)
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	<u>0</u>	_____	_____	
Woody Vine Stratum (Plot size: _____)	_____	_____	_____	Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Derris trifoliata</u>	<u>50</u>	<input checked="" type="checkbox"/>	<u>FACU</u>	
2. _____	<u>50</u>	_____	_____	Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Remarks: <u>No hard or sapling shrub layers present.</u>				

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (muns)	%	Redox Features Color (muns)	%	Type	Loc ²	Texture	Remarks
0-2	10YR 2/1	100						clay organic debris, fire scars
2-8	10YR 3/2	100	10YR 2/1	30				clay some fine roots
8-16	10YR 6/2	100	7.5YR 2.5/1	30				silty clay dark masses
Type: C=C-Concentration, D=Depletion, RIR=Reduced Matrix, MS=Mashed Sand Grains.								
Hydric Soil Indicators:								
<input type="checkbox"/> Histosol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input checked="" type="checkbox"/> Muck Presence (A8) <input checked="" type="checkbox"/> Depleted Below Dark Surface (A11) <input type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Gleyed Matrix (S4)					<input type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Dark Surface (S7) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input checked="" type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F5) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8)			
Restrictive Layer (if observed):								
Type: <u>MLA</u>								
Depth (inches): _____								
1 Indicators of hydrotrophic vegetation and wetland hydrology must be present, unless disturbed or problematic. 2 location: PL=Pore Lining, M=Matrix.								
Hydric Soil Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>								
Remarks: <u>None. Also identifies ML.</u>								

HYDROLOGY

Wetland Hydrology Indicators: (Explain observations in Remarks, if needed.)

Primary Indicators (minimum of one required, check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input checked="" type="checkbox"/> Aquatic Fauna (B13)
<input checked="" type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Thiapla Masses (B17)
<input checked="" type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C5)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Fiddler Crab Burrows (C10) (Guam, CHML, and American Samoa)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Other (Explain in Remarks)
<input checked="" type="checkbox"/> Water-Stained Leaves (B9)	
Surface Soil Cracks (B6) <input checked="" type="checkbox"/> Sparingly Vegetated Concave Surface (B8) <input checked="" type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Soil Deposits (C5) <input type="checkbox"/> Sprouted or Stressed Plants (D1) <input checked="" type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input type="checkbox"/> FAC-Neutral Test (D5)	

Field Observations:

Surface Water Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches): <u>-8"</u>	
Water Table Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches): <u>-1"</u>	
Saturation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches): <u>-1"</u>	
(includes capillary fringe)			
Discharge Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:			
Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			

Remarks:

Rainfall over previous night. Transition to rainy season.

Appendix B

Wetland Delineation Map

Exhibit D. Utility Demand Calculations.

**PAGO BAY RESORT
PHASE 3, YONA GUAM**

UTILITY DEMAND CALCULATIONS

I. WATER DEMAND

Design Criteria

1. Proposed Water main size = 8" dia.
2. Minimum size of sewers = 8" dia.
3. Max. Velocity of water in main pipe = < 12 ft/sec
4. Number of residence per Dwelling Unit (DU) shall be 3.2 persons

I-A Water Demand and Sewage Flow Calculations

1. Served Population

Fixed Residents per DU = 3.2 persons / DU

Number of DU = 300 Dwelling Units

Served Population = 960 persons

2. Water Demand requirement

Water Demand per capita per day = 120 gpcd

Average Daily Demand = 960 persons x 120 gpcd = 115,200 gpd
= 66.6 gpm

Maximum Daily Demand (1.5 x Average Day Flow) = 172,800 gpd
Say, $Q_{avg} = \frac{67 \text{ gpm}}$

Peak Hour Demand = 67 gpm x 2.5 peak factor
(Use 2.5 as peak demand factor. This peak demand occurs during
4 hours of morning and evening peak hours.)

$Q_{peak} = 167 \text{ gpm}$

Fire Protection = $Q_{fire} = 1020 \times (P)^{0.5} [1 - 0.01 \times (P)^{0.5}]$

$Q_{fire} = 990 \text{ gpm}$

Where P = population in thousands

I-B. WATER MAIN SIZING

Based upon proposed 8" from previously prepared water main extended from Phase 1 as the primary water main,

Flow condition through 8" main during critical period of combined daily peak and fire demand must be checked.

Thus,

$$Q_{\max} = Q_f \text{ Fire Flow} + Q_d \text{ Peak Flow}$$

$$Q_f = 990 \text{ gpm} + 167 \text{ gpm} = 2.206 \text{ cf/sec} + 0.372 \text{ cf/sec} =$$

$$V = q/a = (2.578 \text{ cf/sec}) / 0.34906 \text{ sf} = 7.386 \text{ ft/sec} \quad (\text{This is still OK})$$

So, reconfirm adopting 8" water main size.

II. SANITARY SYSTEM

Flow based upon 3.2/ house hold @ 85% of 120 gallons / cap / day, as daily flow,

$$\text{Daily Average flow} = 56.6 \text{ gpm and}$$

$$\text{Daily Peak flow} = 142.0 \text{ gpm}$$

The system will be a new construction, however, potential additional flow due to I&I is accounted for during peak water consumption computation with peaking factor of 2.5.

III SOLID WASTE GENERATION

Based upon EPA 2013 publication, our average individual waste generation is 4.40 pounds per person per day. However, we recycle and compost 34.1% of 4.40 pounds or 1.51 pounds.

Thus, the facility will generate 2,774 pounds of solid waste per day or 506 ton/year. Through active recycling, we will avert 265 tons per year from disposing to our landfill.

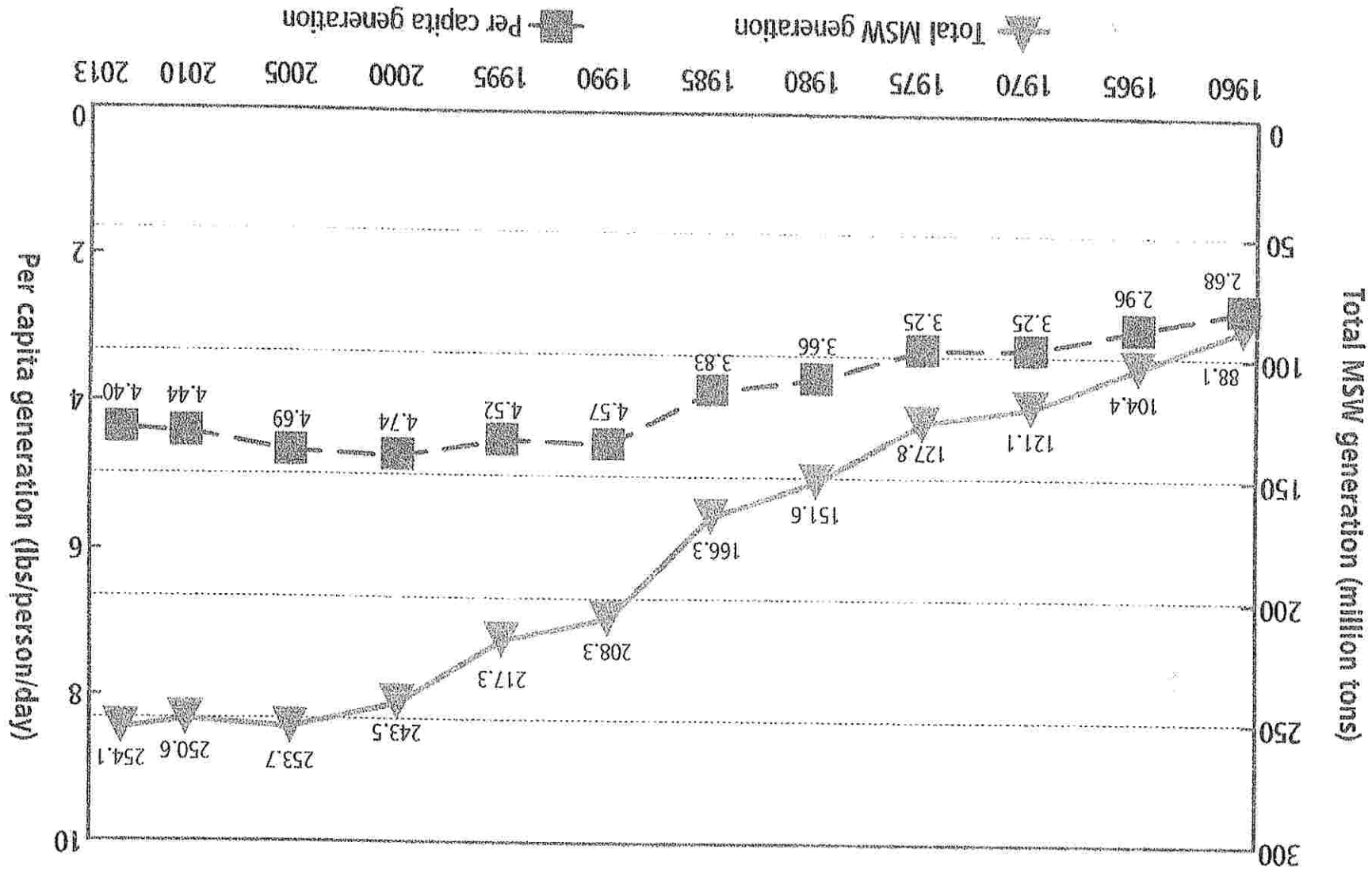
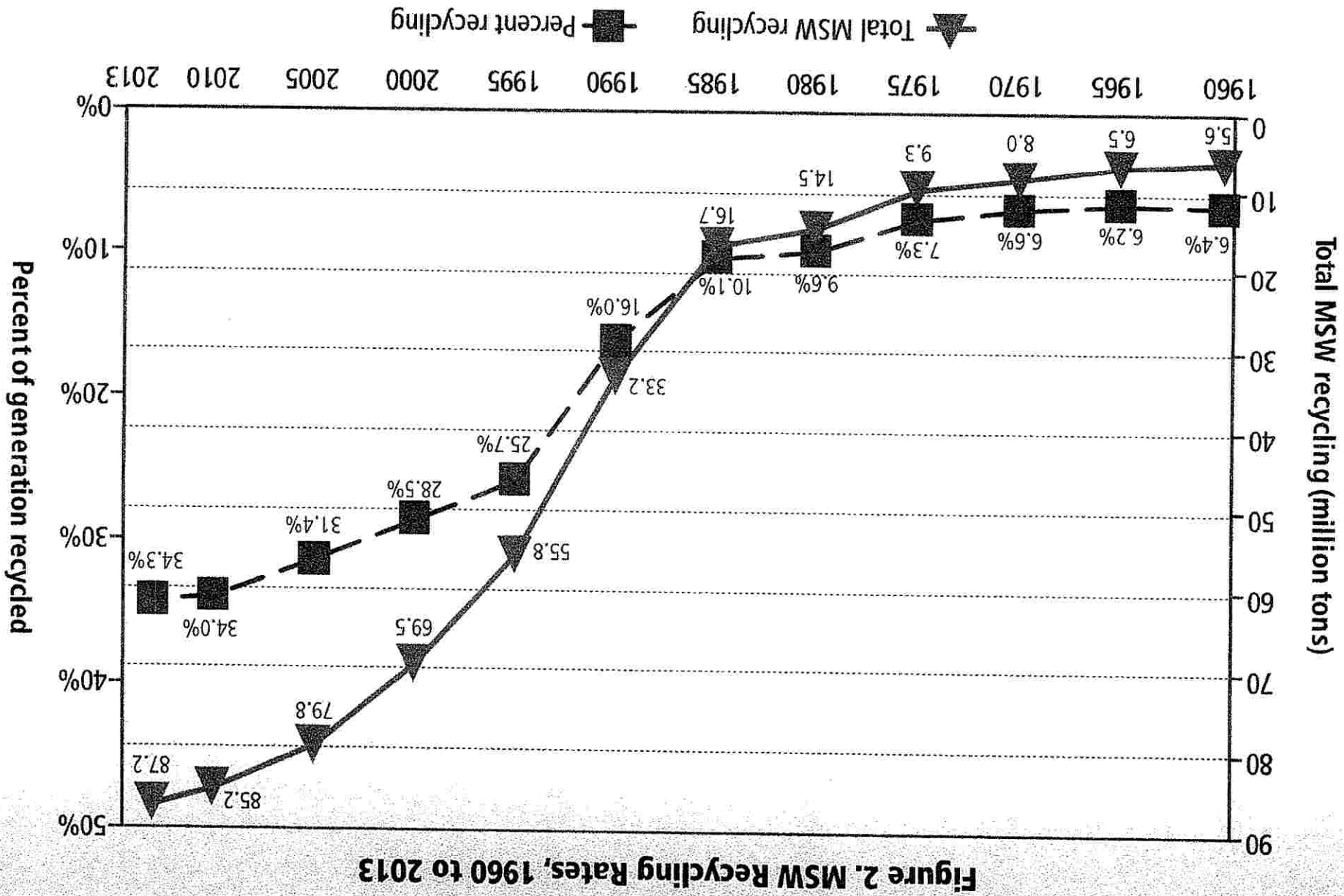
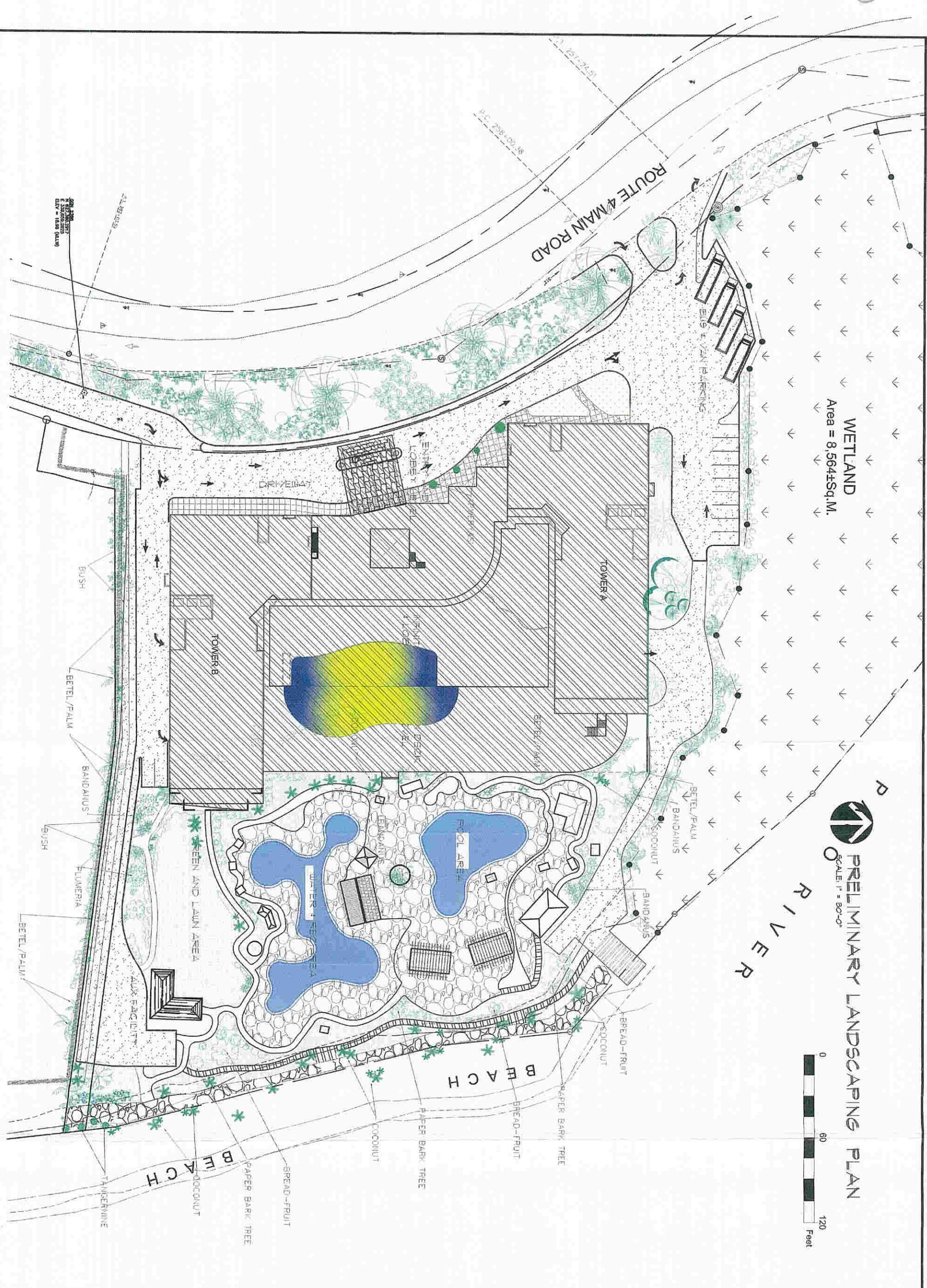


Figure 1. MSW Generation Rates, 1960 to 2013



C. Site Plan and Elevation Drawings



WETLAND
Area = 8,564 Sq. M.

PRELIMINARY LANDSCAPING PLAN
SCALE: 1" = 30'-0"



General Notes

PRELIMINARY LANDSCAPING PLAN

No.	Revision/Issue	Date

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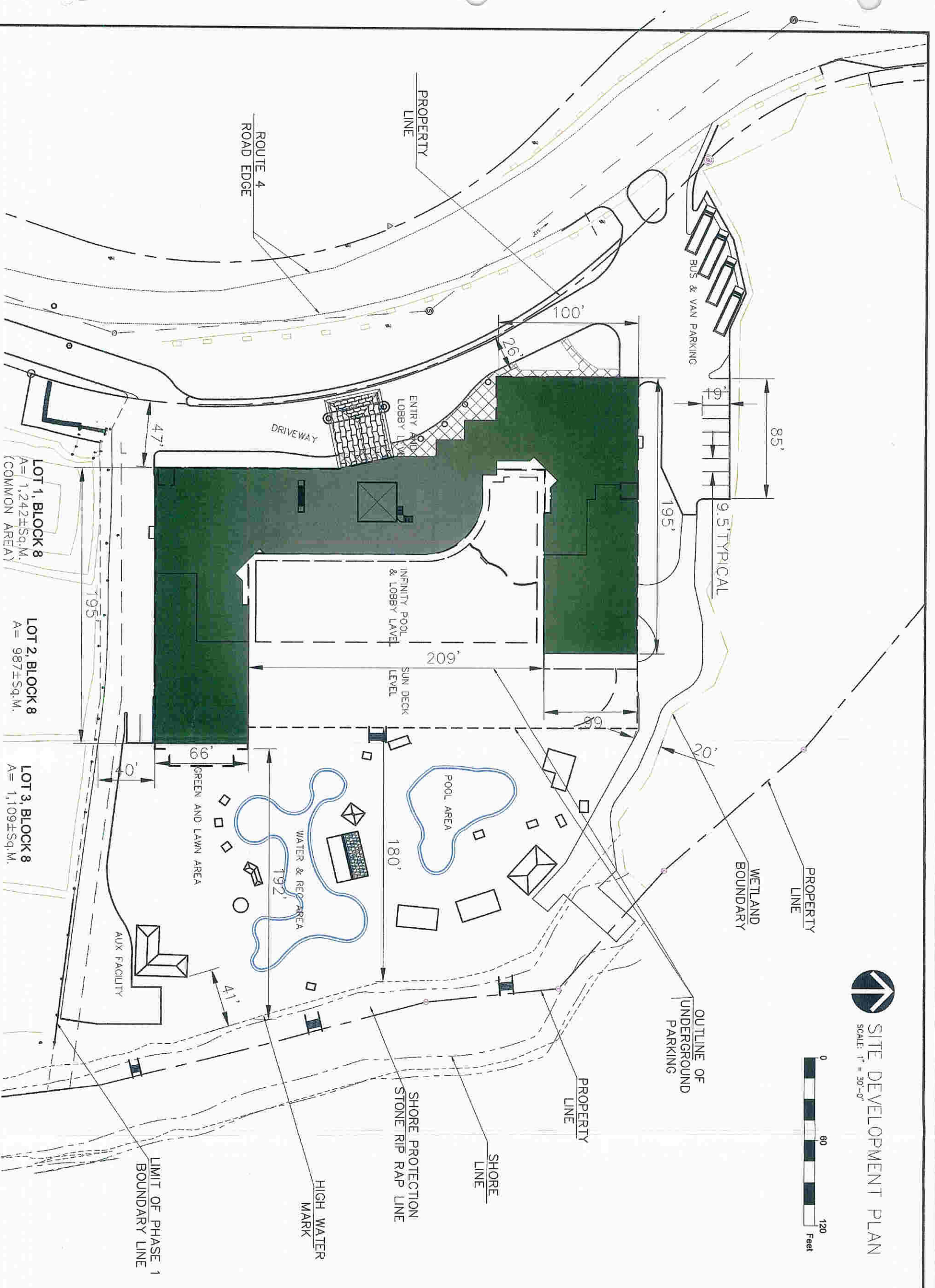
GUAM WANFANG CONSTRUCTION
108 SUNNY PLAZA
125 TUN JESUS CRISTOMO ST
BARRIGADA, GUAM 98913

From: [Name and Address]
AES
AES CONSTRUCTION
PMB 236, STE 101
1270 N MARINE DR, TAMUNING, GUAM
(671) 549-9321

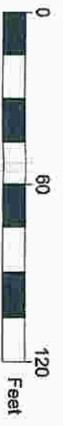
Project Name and Address
**PAGO BAY MARINA RESORT
YONA, GUAM**
Suite 201, Tun Jesus Cristosoma St.
Tamuning, Guam

Project
PSM-3
Date
JULY 5, 2015
Scale
1" = 30'-0"

Sheet
LC-



SITE DEVELOPMENT PLAN
SCALE: 1" = 30'-0"



General Notes

SITE DEVELOPMENT PLAN

No.	Revision/Issue	Date

Prep. Name and Address
GUAM WANFANG CONSTRUCTION
108 SUNNY PLAZA
125 TUN JESUS CRISTOSTOMO ST
BARRIGADA, GUAM 98913

Prep. Name and Address
AES CONSTRUCTION
PMB 236, STE 101
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Project Name and Address
PAGO BAY MARINA RESORT
YONA,
GUAM
Suite 201, Tun Jesus Cristostomo St.
Tailuning, Guam

Project
PBM-3
Date
JUNE 15, 2015
Scale
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C-01

FRONT ELEVATION

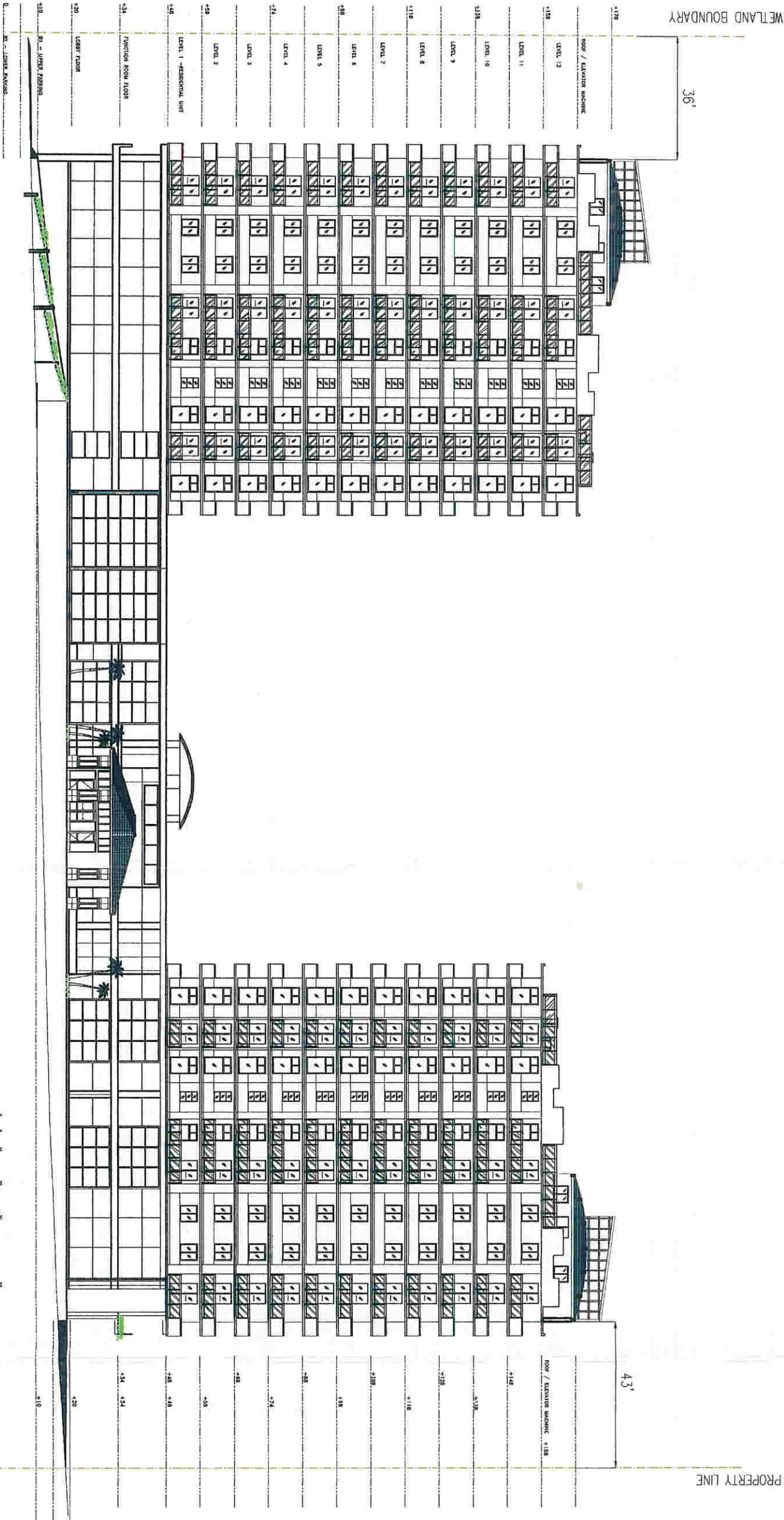
No.	Revision/Issue	Date

108 SUNNY PLAZA
125 TUN JESUS CRISTOSTOMO ST
BARRIGADA, GUAM 96913

AES
AES CONSTRUCTION
PMB 236, STE 101
1270 N MARINE DR, TAMUNING, GUAM
(671) 649-6321

PAGO BAY MARINA RESORT
YONA, GUAM
Suite 201, Tun Jesus Cristostomo St.
Tamuning, Guam

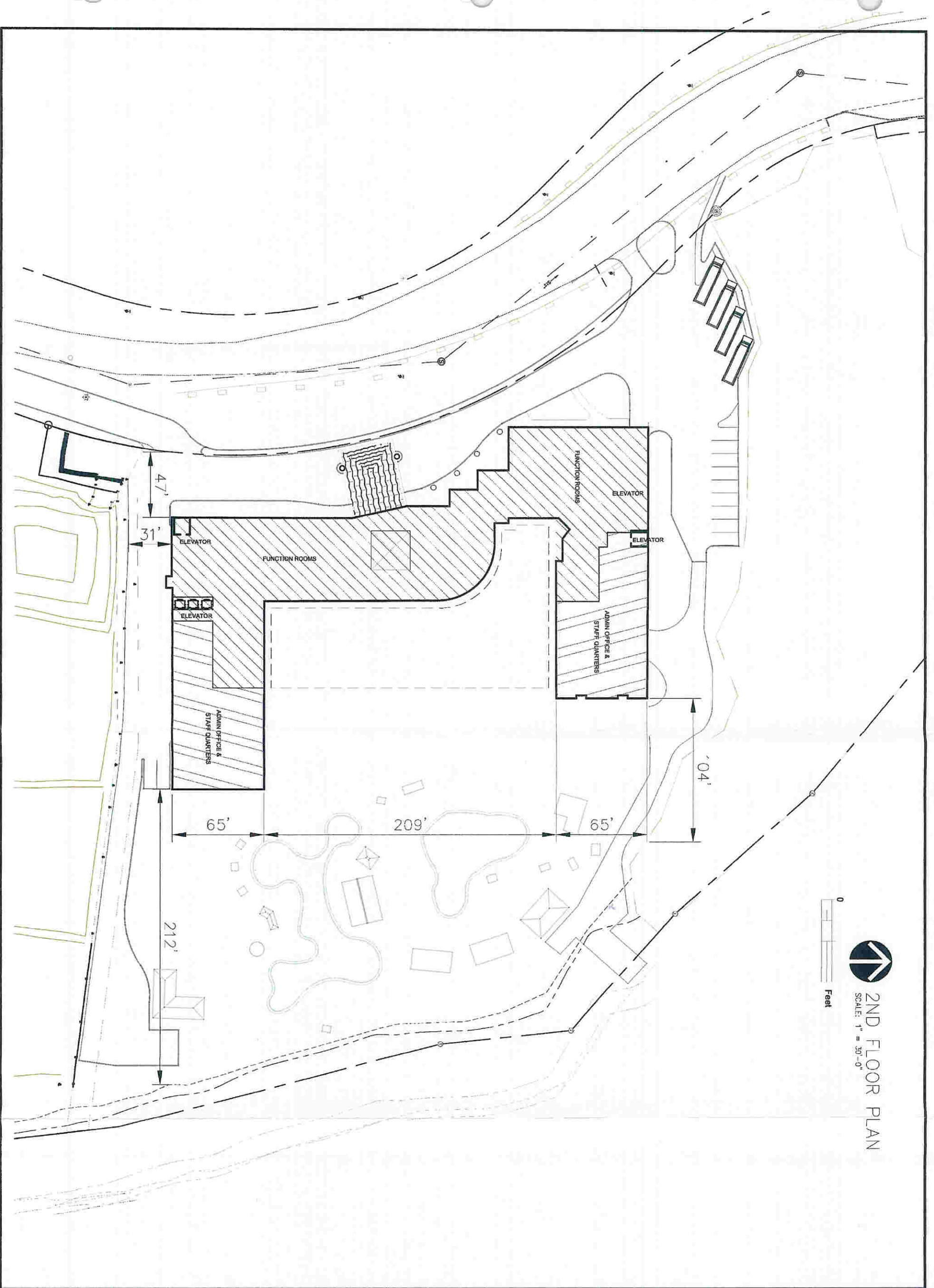
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Date MARCH 28, 2015	
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FRONT ELEVATION

SCALE: 1/8" = 1'-0"

A



2ND FLOOR PLAN
SCALE: 1" = 30'-0"
0
Feet
30

General Notes

2nd FLOOR PLAN

No.	Revision/Issue	Date

From Name and Address
GUAM WANFANG CONSTRUCTION
108 SUNNY PLAZA
125 TUN JESUS CRISTOSTOMO ST
BARRIGADA, GUAM 96813

From Name and Address
AES CONSTRUCTION
PMB 226, STE 101
1270 N MARINE DR, TAMPUNING, GUAM
(671) 549-8321

Project Name and Address
**PAGO BAY MARINA RESORT
YONA, GUAM**
Suite 201, Tun Jesus Cristostomo St,
Tampuning, Guam

Project
PBM-3
Date
APRIL 5, 2015
Scale
1" = 30'-0"
Sheet
C-

SOUTH ELEVATION

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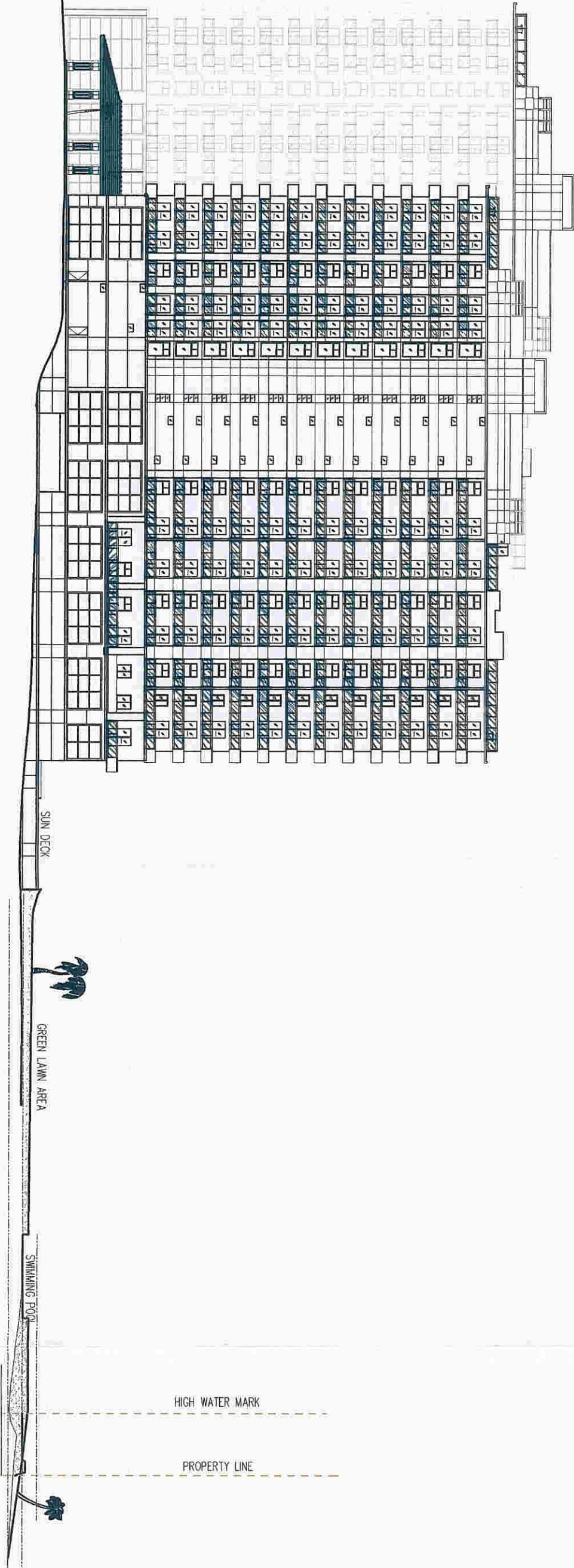
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125 TUN JESUS CRISTO ST
BARRIGADA, GUAM 96910

AES
AES CONSULTING
PMB 236, STE 10101
1270 N MARINE DR, TAMUNING, GUAM 96911
(671) 548-6322

PAGO BAY MARINA RESORT
YONA, GUAM
Suite 201, Tun Jesus Cristo St
Tamuning, Guam

Project
PBM-3
Date
MARCH 28, 2015
Scale
1/8" = 1'-0"

AA-



A
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

NORTH ELEVATION

No.	Revised/Issued	Date

From Notes and As Noted

108 SUNNY PLAZA
125 TUN JESUS CRISTO DOM ST
BARRIGADA, GUAM 96513



AES
AES CONSTRUCTION

PHILIP 228 STE 101
1270 N MARINE DR, TAMUNING, GUAM
6711 669-6321

**PAGO BAY MARINA RESORT
YONA,
GUAM**

Suite 201, Tun Jesus Cristoforo St,
Tamuning, Guam

Project
PBM-3

Date
MARCH 28, 2015

Scale
1/8" = 1'-0"

Sheet
A-1



NORTH ELEVATION
SCALE: AS NOTED

SECTIONS

No.	Revision/Issue	Date

From Name and Address

108 SUNNY PLAZA
125 TUN JESUS CRISTÓBAL ST
BARRIGADA, GUAM 98913

From Name and Address

AES
AES CONSTRUCTION
PMB 236, STE 101
1270 N MARINE DR, TAILUNING, GUAM
(671) 549-8321

Project Name and Address

PAGO BAY MARINA RESORT
YONA,
Suite 201, Tun Jesus Cristóbal St.
Tailuning, Guam

Project

PBM-3

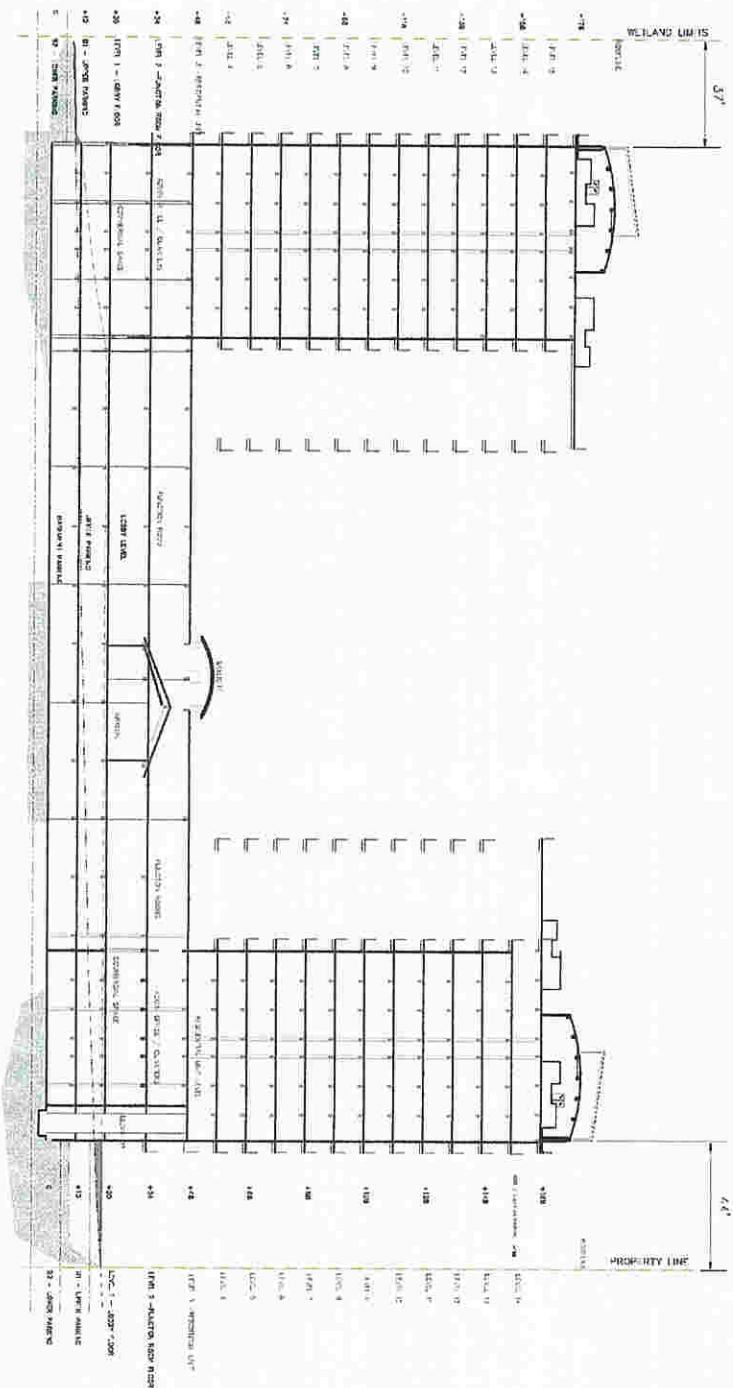
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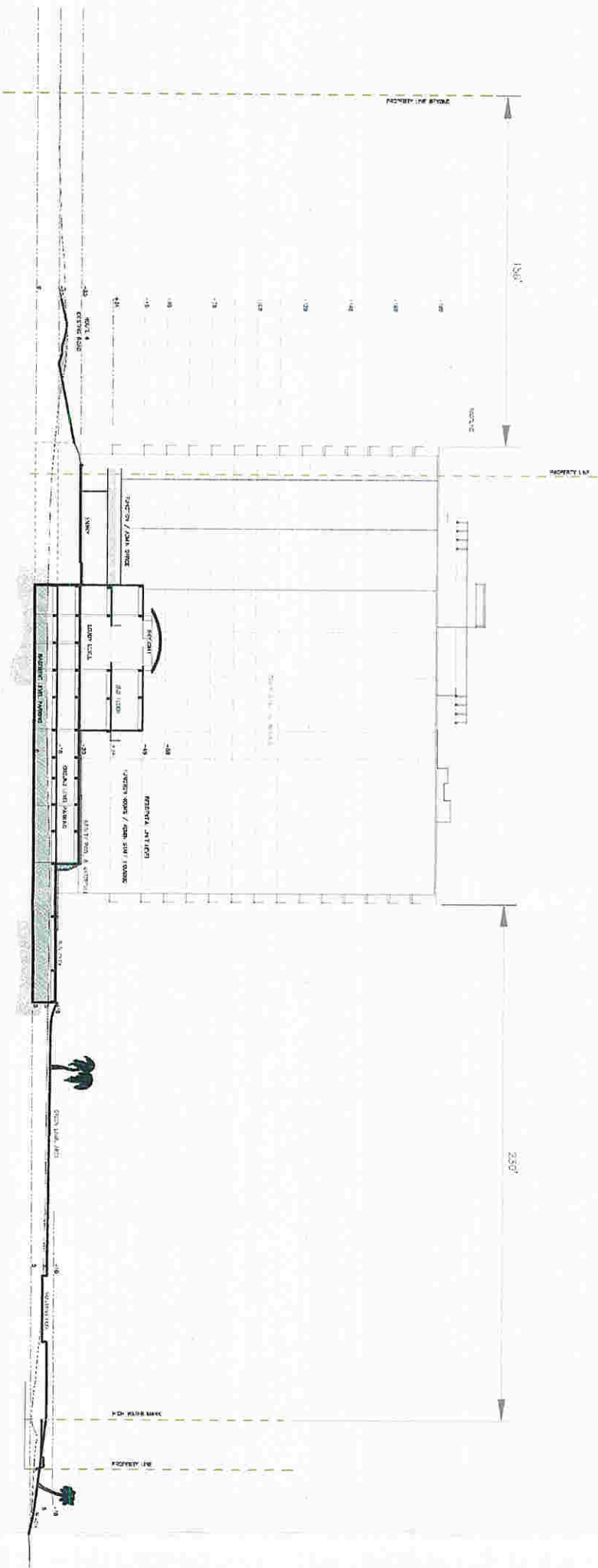
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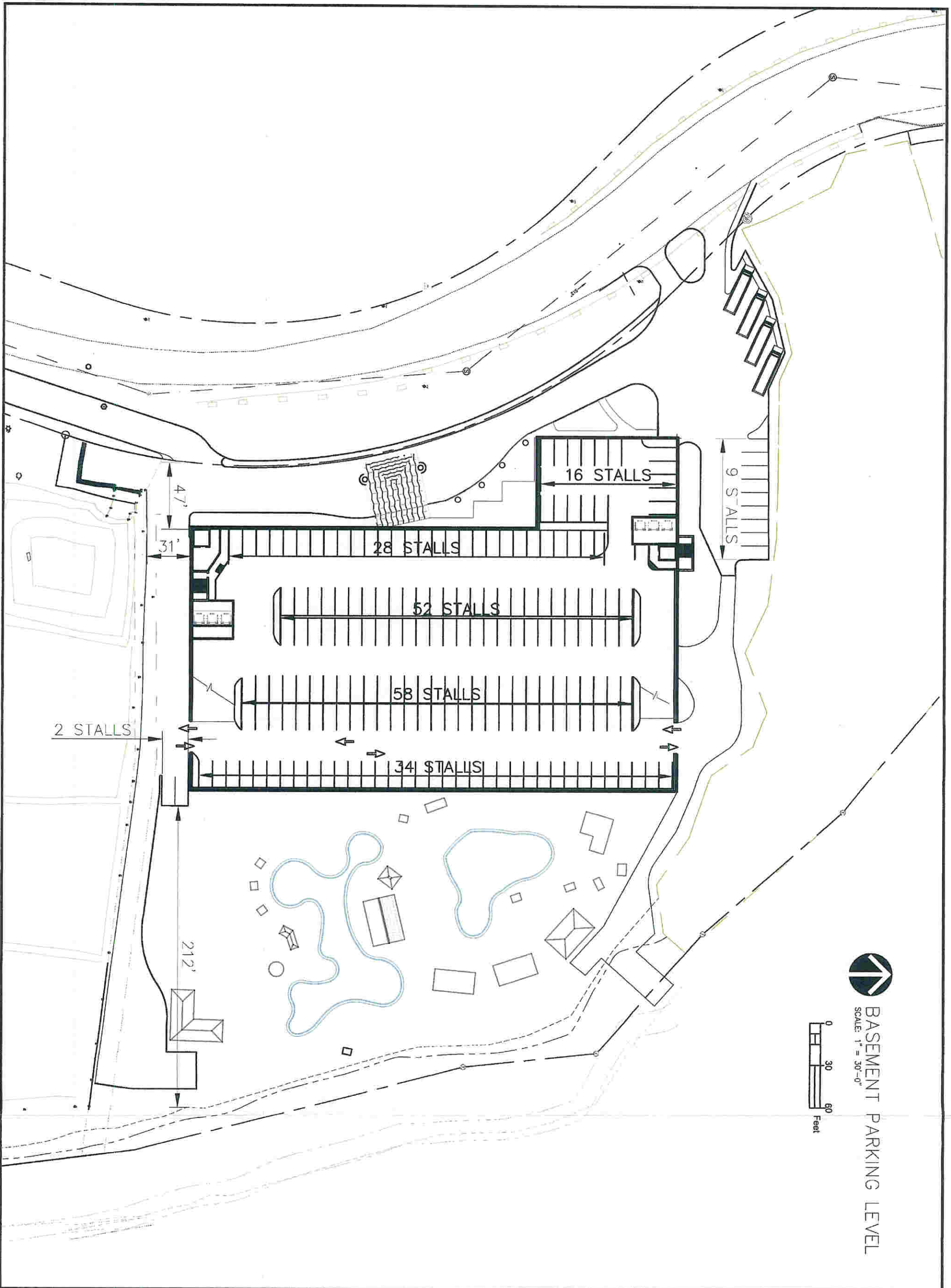
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FRONTAL SECTION



A
SECTIONS
SCALE: 1" = 30'-0"



BASEMENT PARKING LEVEL
SCALE: 1" = 30'-0"



General Notes

BASEMENT LEVEL PARKING PLAN

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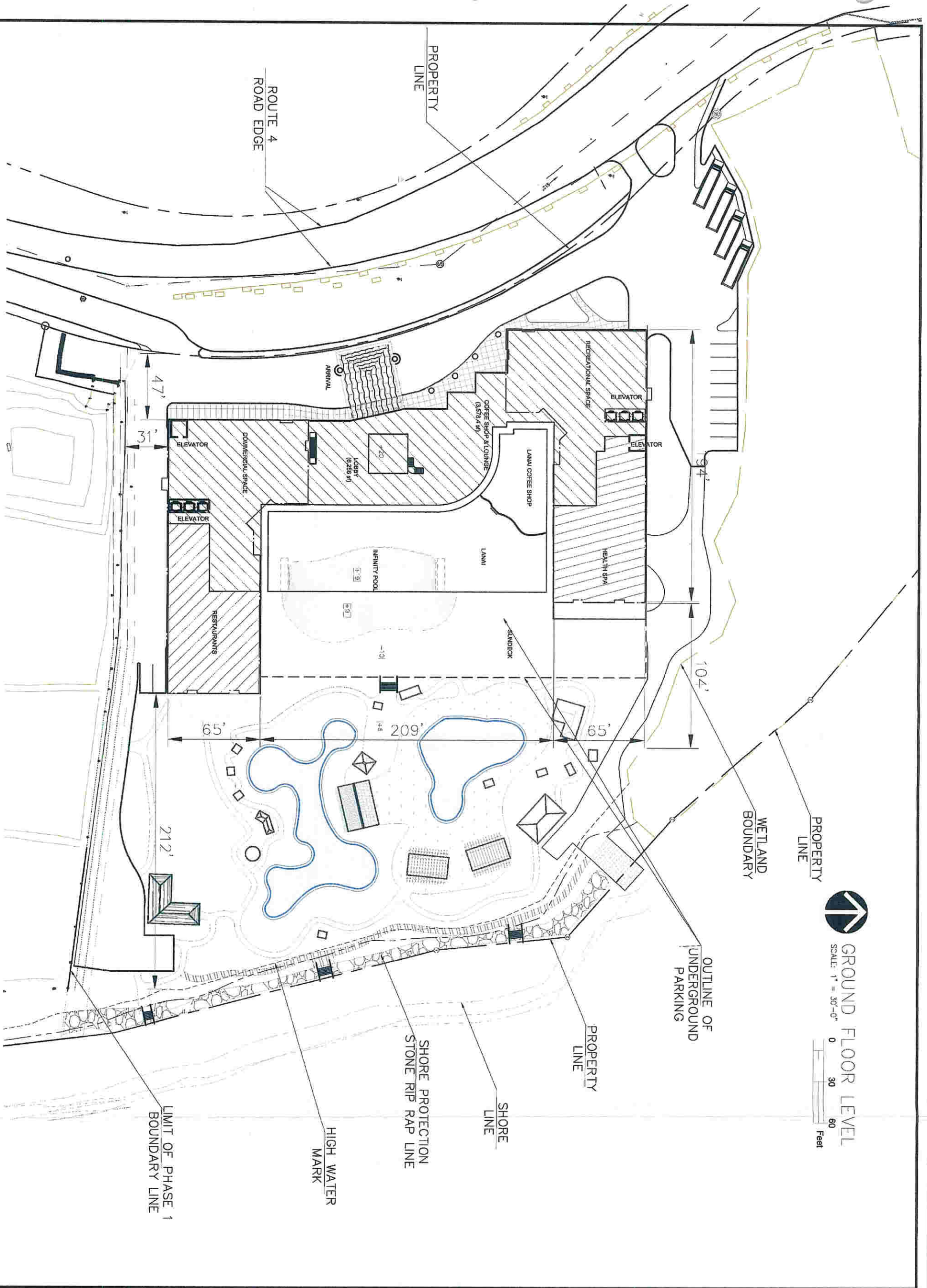
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GUAM WANFANG CONSTRUCTION
108 SUNNY PLAZA
125 TUN JESUS CRISTOMO ST
BARRIGADA, GUAM 96913

From Name and Address
AES CONSTRUCTION
PMB 226, STE 101
1270 N MARINE DR, TAMUNING, GUAM
(671) 549-6321

Project Name and Address
**PAGO BAY MARINA RESORT
YONA, GUAM**
Suite 201, Tun Jesus Cristomo St.
Tamuning, Guam

Project
PBM-3
Date
APRIL 5, 2015
Scale
1" = 30'-0"

Sheet
C-



GROUND FLOOR LEVEL

SCALE: 1" = 30'-0"



General Notes

No.	Revision/Issue	Date

Firm Name and Address
GUAM WANFANG CONSTRUCTION
108 SUNNY PLAZA
125 TUN JESUS CRISTOSTOMO ST
BARRIGADA, GUAM 96813

Firm Name and Address
AES CONSTRUCTION
PMB 236, STE 101
1270 N MARINE DR. TAMUNING, GUAM
(671) 849-8321

Project Name and Address
**PAGO BAY MARINA RESORT
YONA,
GUAM**
Suite 201, Tun Jesus Cristostomo St.
Tamuning, Guam

Project
PBM-3
Date
APRIL 6, 2016
Scale
1" = 30'-0"

Sheet
C-

- SECTION IDENTIFICATION

SECTION OF VIEW

SHEET WHERE DRAWN

UNIT NUMBER

SHEET WHERE DRAWN

1 HOUR FIRE SEPARATION

1 1/2 HOUR FIRE SEPARATION
- FULL CONSTRUCTION TYPE

DOOR NUMBER

DECK SCHEDULE OF A-400

WINDUP NUMBER

DECK SCHEDULE OF A-400



- UNIT PLAN SCHEDULE
- | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------|----------|----------|----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| UNIT A-1 | UNIT A-2 | UNIT A-3 | UNIT A-4 | UNIT A-5 | UNIT A-6 | UNIT A-7 | UNIT A-8 | UNIT A-9 | UNIT A-10 | UNIT A-11 | UNIT A-12 | UNIT A-13 | UNIT A-14 | UNIT A-15 | UNIT A-16 | UNIT A-17 | UNIT A-18 | UNIT A-19 | UNIT A-20 | UNIT A-21 | UNIT A-22 | UNIT A-23 | UNIT A-24 | UNIT A-25 | UNIT A-26 | UNIT A-27 | UNIT A-28 | UNIT A-29 | UNIT A-30 | UNIT A-31 | UNIT A-32 | UNIT A-33 | UNIT A-34 | UNIT A-35 | UNIT A-36 | UNIT A-37 | UNIT A-38 | UNIT A-39 | UNIT A-40 | UNIT A-41 | UNIT A-42 | UNIT A-43 | UNIT A-44 | UNIT A-45 | UNIT A-46 | UNIT A-47 | UNIT A-48 | UNIT A-49 | UNIT A-50 | UNIT A-51 | UNIT A-52 | UNIT A-53 | UNIT A-54 | UNIT A-55 | UNIT A-56 | UNIT A-57 | UNIT A-58 | UNIT A-59 | UNIT A-60 | UNIT A-61 | UNIT A-62 | UNIT A-63 | UNIT A-64 | UNIT A-65 | UNIT A-66 | UNIT A-67 | UNIT A-68 | UNIT A-69 | UNIT A-70 | UNIT A-71 | UNIT A-72 | UNIT A-73 | UNIT A-74 | UNIT A-75 | UNIT A-76 | UNIT A-77 | UNIT A-78 | UNIT A-79 | UNIT A-80 | UNIT A-81 | UNIT A-82 | UNIT A-83 | UNIT A-84 | UNIT A-85 | UNIT A-86 | UNIT A-87 | UNIT A-88 | UNIT A-89 | UNIT A-90 | UNIT A-91 | UNIT A-92 | UNIT A-93 | UNIT A-94 | UNIT A-95 | UNIT A-96 | UNIT A-97 | UNIT A-98 | UNIT A-99 | UNIT A-100 |
|----------|----------|----------|----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|

BUILDING
UNIT NUMBER



RESIDENTIAL TOWER A
TYPICAL UNIT TYPES

No.	Revised/Issue	Date

For more info Address
GUAM WANGFANG CONSTRUCTION
108 SUNKY PLAZA
125 TUN JESUS CRISTOSTOMO ST
BARRIGADA, GUAM 96913

For more info Address
PES CONSTRUCTION
PMB 238, STE 101
1270 N MARINE DR, TAMUNING, GUAM
(671) 849-9321

Project Name and Address
PAGO BAY MARINA RESORT
YONA,
Salle 201, Tur Jesus Oisencoro St,
Tamuning, Guam

Project
P814.3
Date
JUNE 15 2015
Scale
1/8" = 1'-0"
Sheet
A-

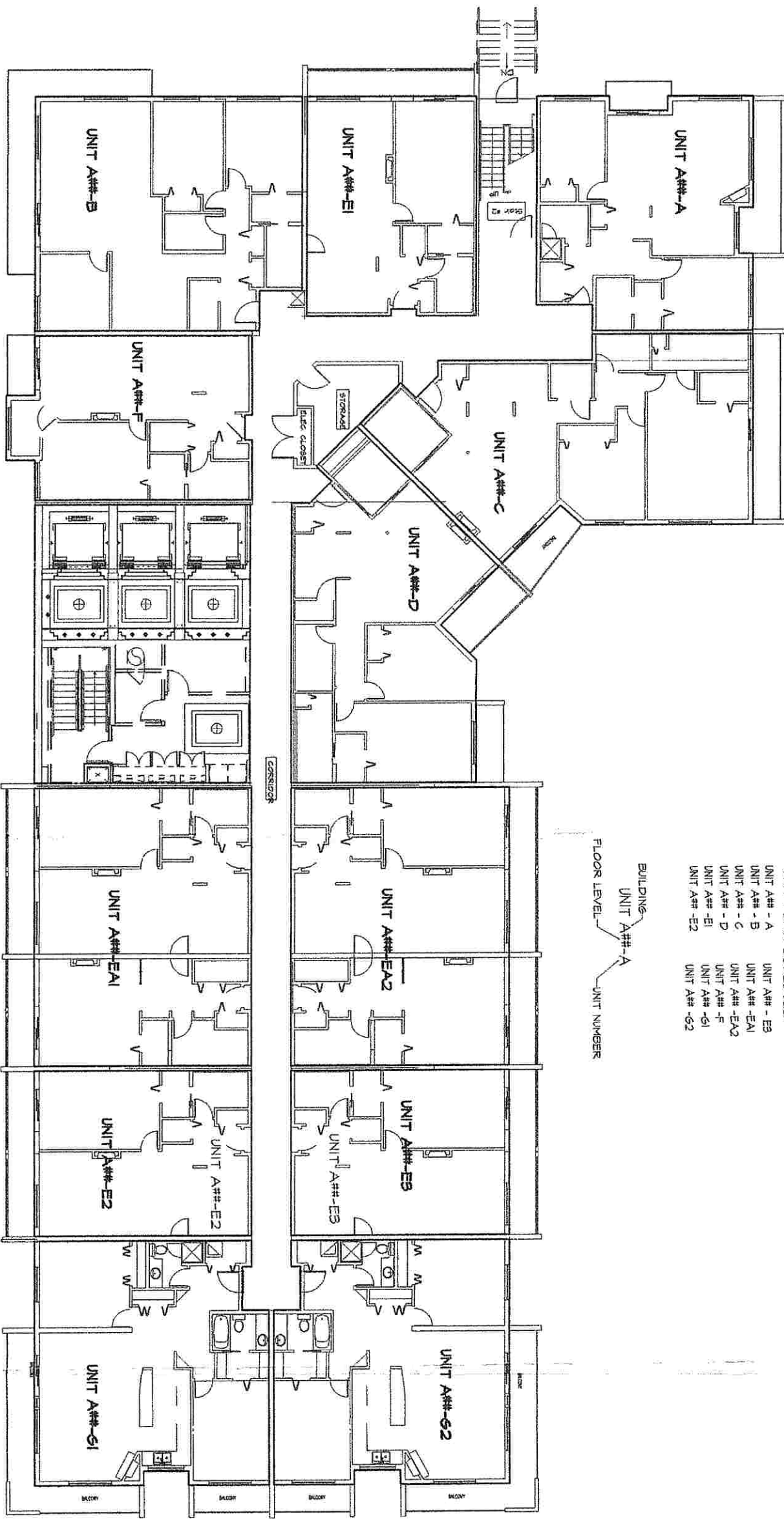
LEGEND

- CROSS SECTION MARKER
- DOOR
- DETAIL REFERENCE
- SHEET REFERENCE
- 1 HOUR FIRE SEPARATION
- 1/2 HOUR FIRE SEPARATION
- WALL CONSTRUCTION TYPE
- DOOR NUMBER
(SEE SCHEDULE ON A-4.0)
- WINDOW NUMBER
(SEE SCHEDULE ON A-4.0)

UNIT PLAN SCHEDULE

- UNIT A## - A
- UNIT A## - B
- UNIT A## - C
- UNIT A## - D
- UNIT A## - E1
- UNIT A## - E2
- UNIT A## - E3
- UNIT A## - E41
- UNIT A## - E42
- UNIT A## - F
- UNIT A## - G1
- UNIT A## - G2

BUILDING
UNIT A##-A
FLOOR LEVEL
UNIT NUMBER



TYPICAL UNIT TYPE PLAN TOWER B
SCALE: 1/8" = 1'-0"

General Notes

RESIDENTIAL TOWER B
TYPICAL UNIT TYPES

No. Revision/Issue Date

From Name and Address

GUAM WANGFANG CONSTRUCTION
108 SUNNY PLAZA
125 TUN JESUS CRISTOFOMO ST
BARRIGADA, GUAM 96913

From Name and Address
AES CONSTRUCTION
PMB 236, STE 101
1270 N MARINE DR, TAMUNING, GUAM
(671) 649-6321

Project Name and Address
PAGO BAY MARINA RESORT
YONA,
GUAM
Suite 201, Tun Jesus Cristofomo St.
Tamuning, Guam

Project
PBM-3
Date
JUNE 16, 2015
Scale
1/8" = 1'-0"
Sheet
A-

LEGEND

CROSS SECTION ANGLE

WALL THICKNESS

DOOR THICKNESS

CEILING THICKNESS

FLOOR THICKNESS

100% FINISHES

100% REPAIRS

WALL THICKNESS

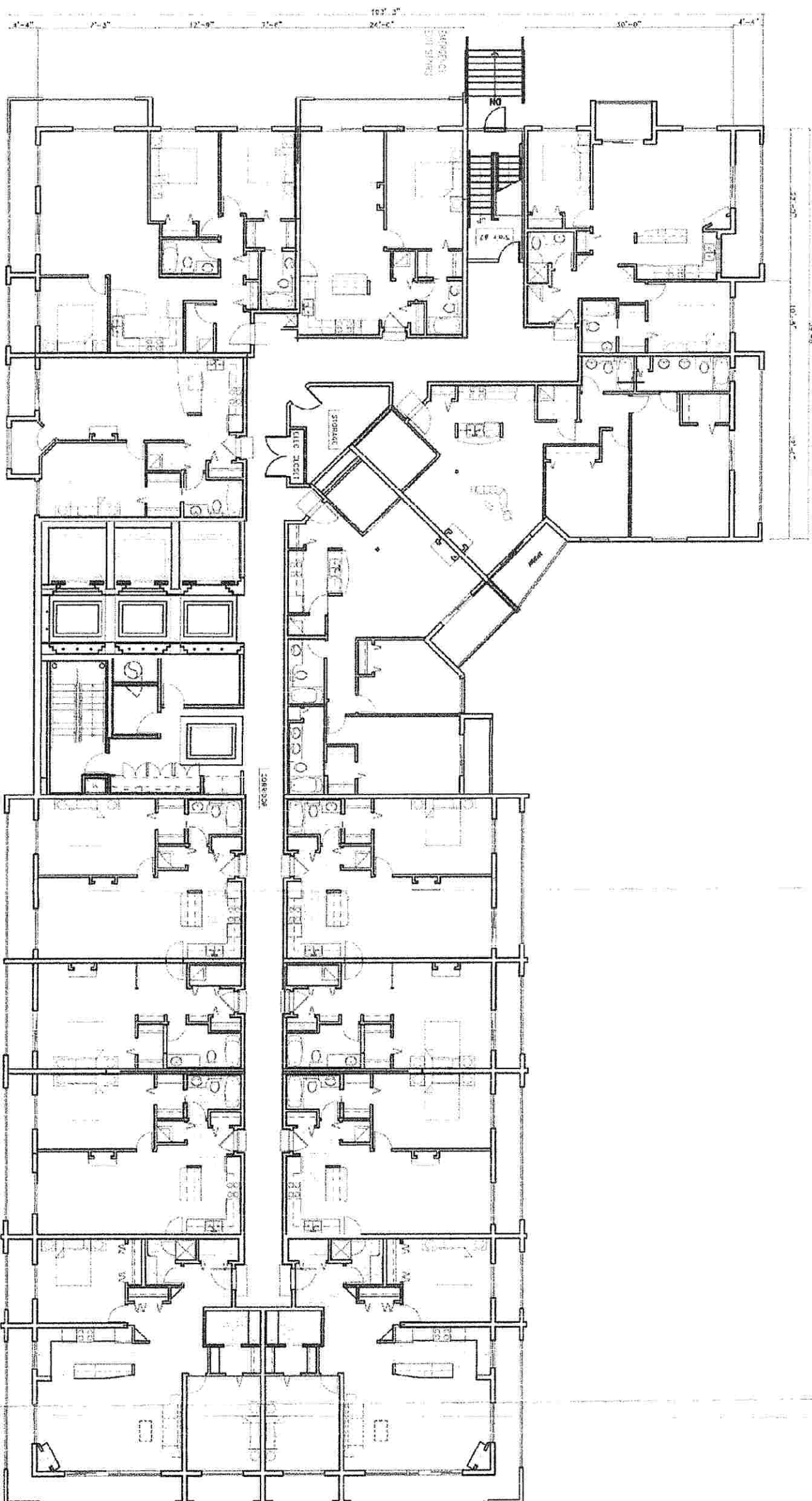
DOOR THICKNESS

CEILING THICKNESS

FLOOR THICKNESS

100% FINISHES

100% REPAIRS



TYPICAL FLOOR PLAN - 3RD FLOOR - CAER 5
SCALE: 1/8" = 1'-0"

General Notes

No.	Revised/Issue	Date

103 S. JUAN PLAZA
125 TUN JESUS CRISTOSTOMO ST
SARAGAUA, GUAM 96923

AL'S CONSTRUCTION
1270 N. MARINE DR. TAILORING, GUAM
(671) 540-5221

PAGO BAY MARINA RESORT
YONA, GUAM
Suite 201, Tun Jesus Cristostomo St.
Tamarindo, Guam

Project: FBM 3
Date: MARCH 28, 2015
Scale: 1/8" = 1'-0"
A-

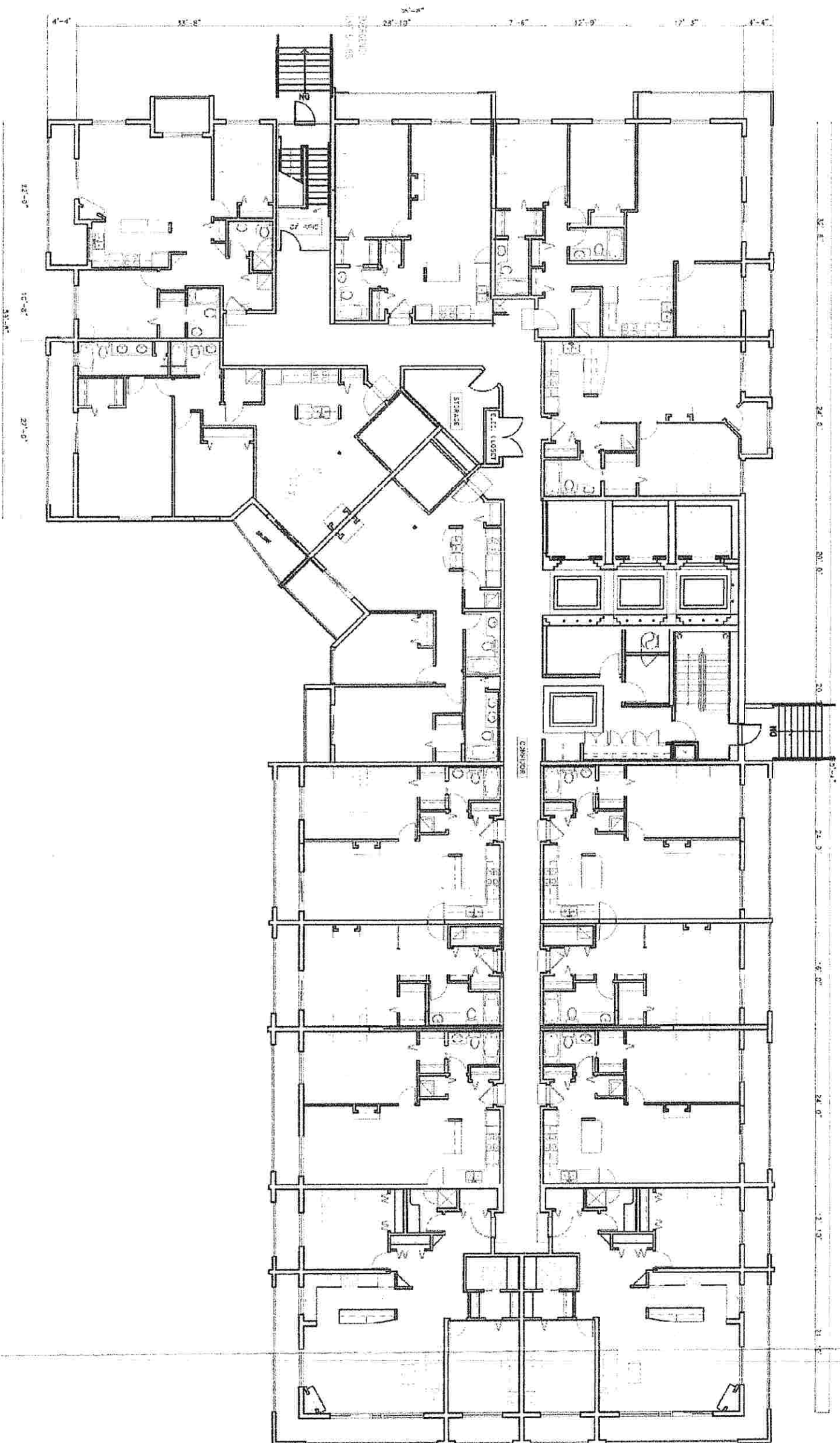


Figure 1 is a schematic diagram of the cross-section of a fiber. The diagram shows a central core with a diameter of 100 μm, surrounded by a cladding with a diameter of 125 μm. The core is labeled "CORE" and the cladding is labeled "CLADDING". The fiber is shown in a cross-section view, with a central core and an outer cladding. The core diameter is 100 μm and the cladding diameter is 125 μm. The fiber is labeled "FIBER" and the cross-section is labeled "CROSS-SECTION OF FIBER".

TYPE A - FLOOR PLAN - 3RD FLOOR - CENTER 3 EN
SCALE 1/8" = 1'-0"

General Notes

No.	Row slot / Issue	Date

Five More Gas Advertisements

GUAN WAFANG CONSTRUCTION

103 SUNNY PLAZA
126 TUN JESUS CRISTO ST

THE HOUSE OF REPRESENTATIVES



AEC CONSTRUCTION

PHAS 236, STE 10,
1270 N MARINE DR, TAMUHLING, GUAM
(671) 640-8321

Nejpr: Nové ex. přílohy

PAGO BAY MARINA RESORT
YONA,
GUAM

Suite 201, Tur: Jesus Cristobal O. S.
Tennings, G. S.

Project

MARCH 28, 2015

1,8" = 1'-0"

A

RESIDENTIAL UNIT
TYPES A & B

No.	Revision/Issue	Date

Firm Name and Address

GUAM WANFANG CONSTRUCTION
108 SUNNY PLAZA
125 TUN JESUS CRISTOMO ST
BARRIGADA, GUAM 96913

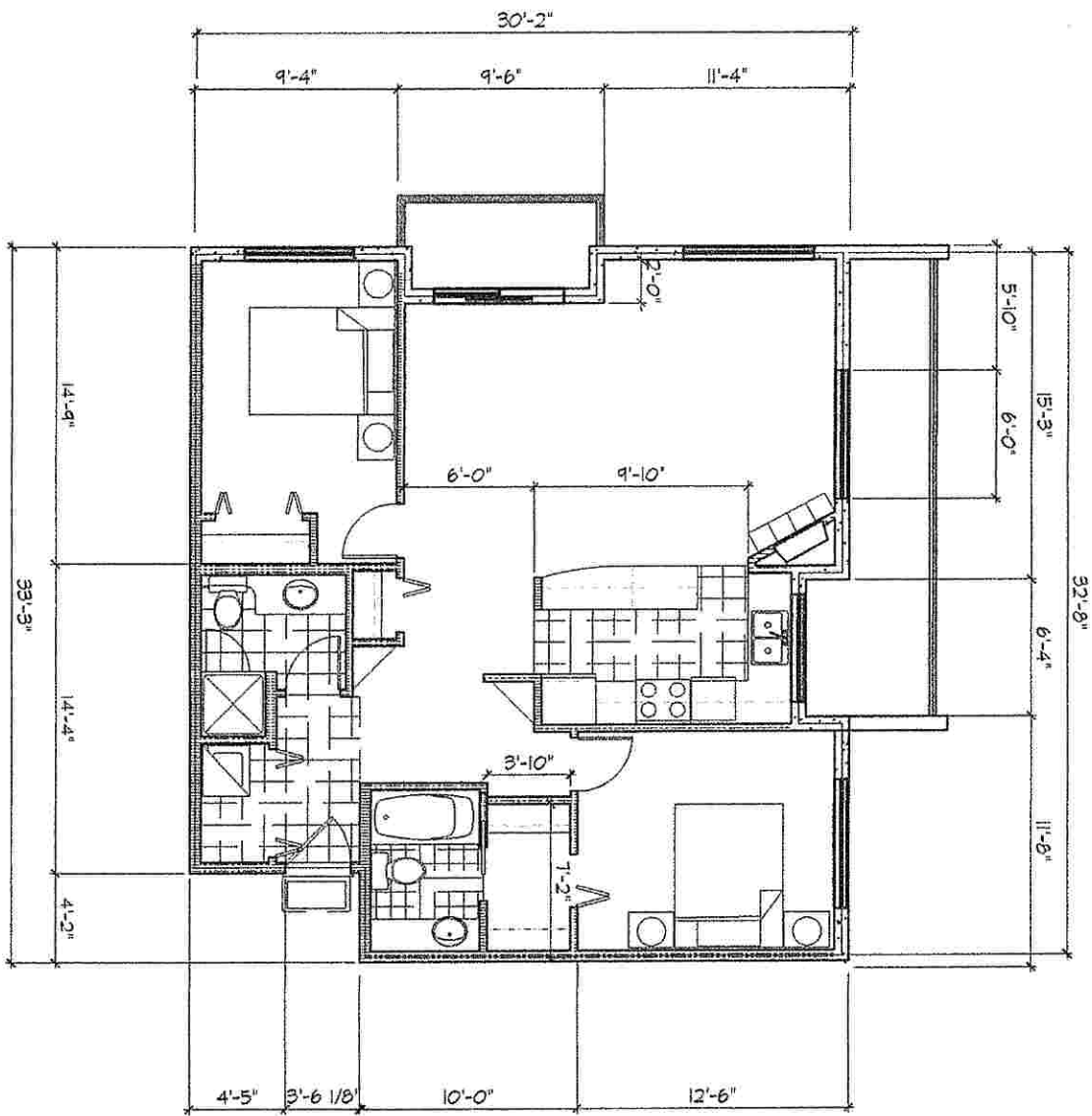
Firm Name and Address

AES AES CONSTRUCTION
PMB 226, STE 101
1270 N MARINE DR. TAMUNING, GUAM
(671) 648-6321

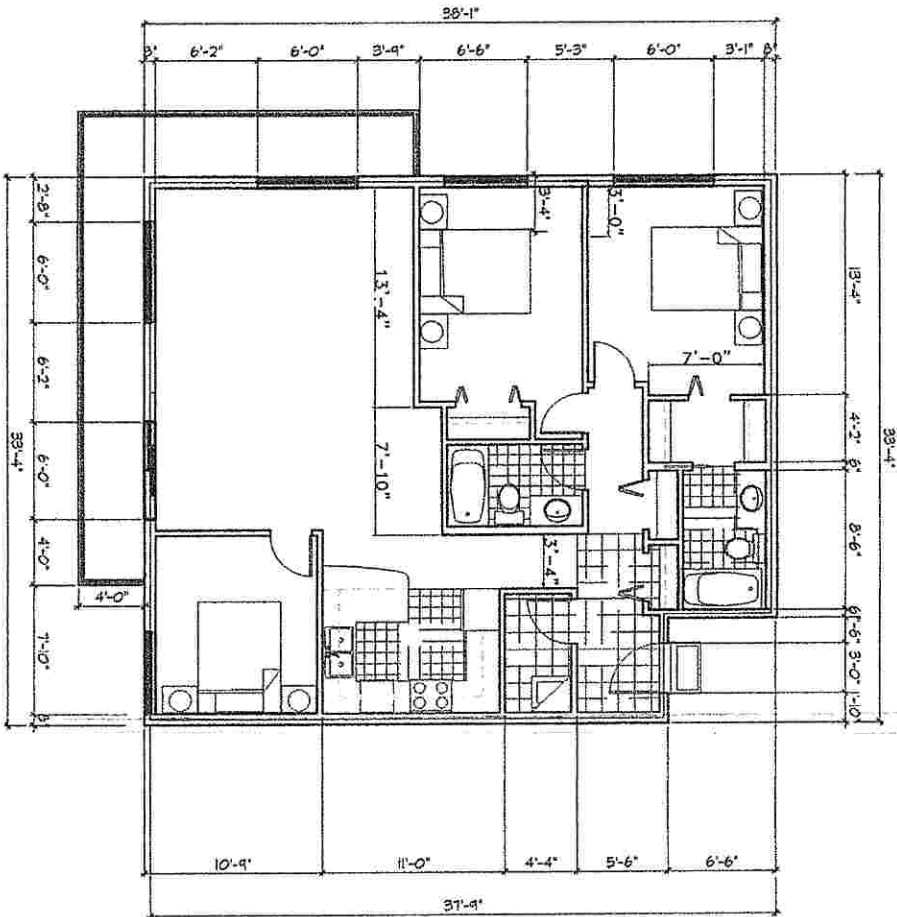
Project Name and Address

PAGO BAY MARINA RESORT
YONA, GUAM
Suite 201, Tun Jesus Cristosomo St.
Tamuning, Guam

Project PBA-3	Scale 1/8" = 1'-0"
Date JUNE 15, 2015	Sheet A-



TYPE 'A'



TYPE 'B'



TYPICAL UNIT FLOOR PLAN - TYPE A & B
SCALE: 1/4" = 1'-0"

RESIDENTIAL UNIT
TYPES E & EA

No.	Revision/Issue	Date

Print Name and Address

GUAM WANFANG CONSTRUCTION
108 SUNNY PLAZA
125 TUN JESUS CRISTOFOMO ST
BARRIGADA, GUAM 96913

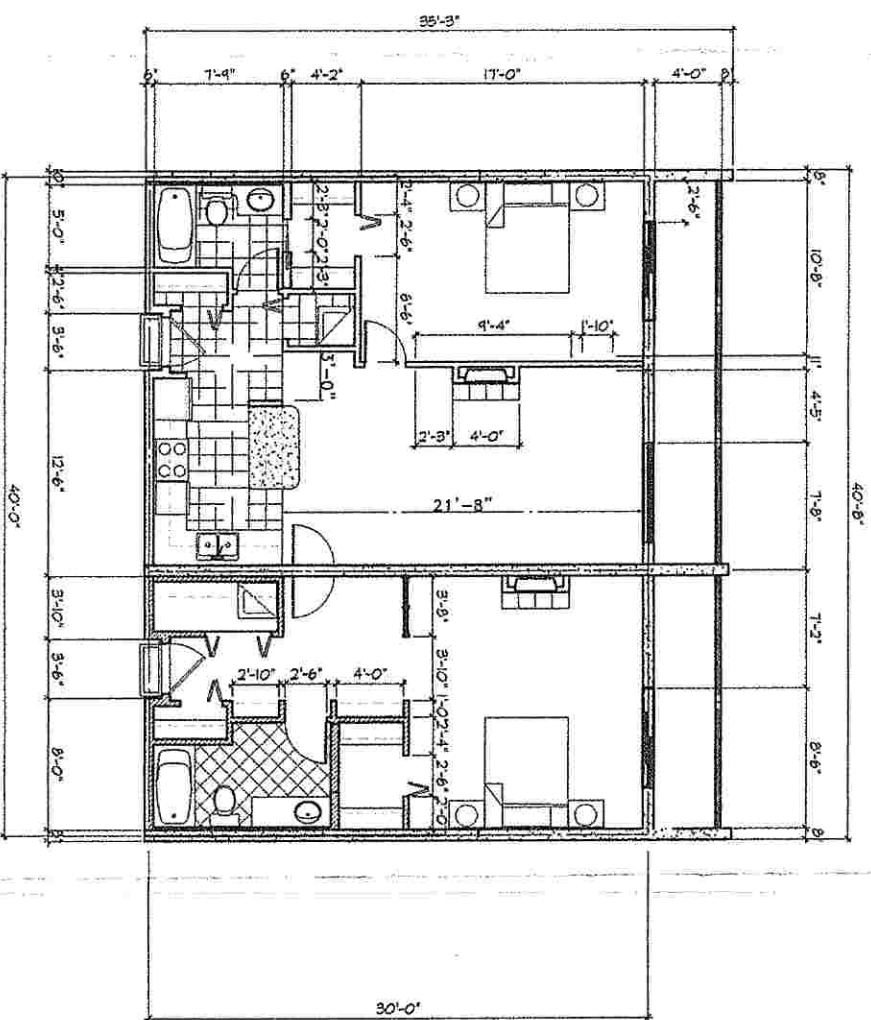
Print Name and Address

AES AES CONSTRUCTION
PMB 286, STE 101
1270 N MARINE DR, TAILUNING, GUAM
(671) 848-8321

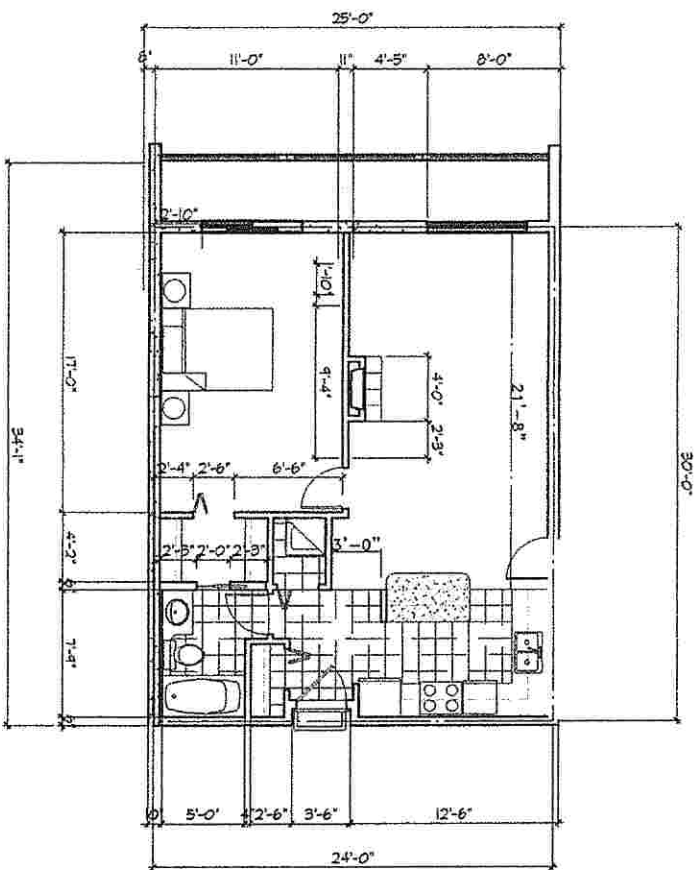
Project Name and Address

PAGO BAY MARINA RESORT
YONA,
GUAM
Suite 201, Tun Jesus Cristofomo St.
Tainuning, Guam

Project PBA-3	Drawn A
Date JUNE 15, 2015	Scale 1/8" = 1'-0"



TYPE 'EA'



TYPE 'E'



TYPICAL UNIT FLOOR PLAN - TYPE E & EA
SCALE: 1/4" = 1'-0"

RESIDENTIAL UNIT
TYPES F & G

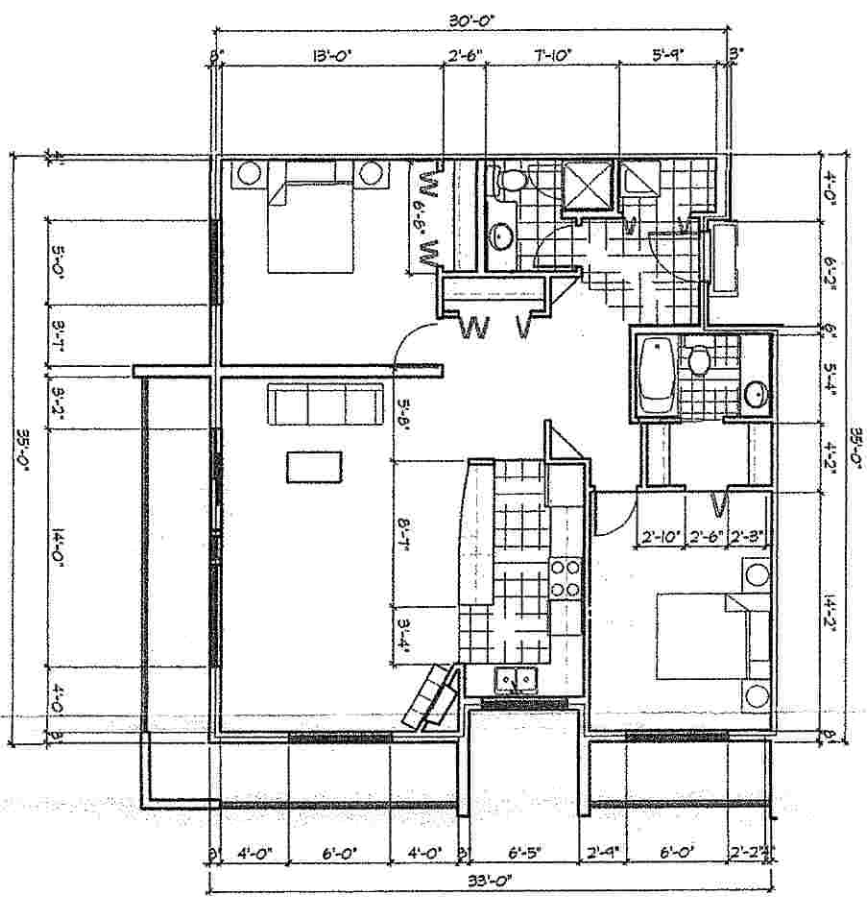
No.	Revision/Issue	Date

Guam Wanfang Construction
108 Sunny Plaza
125 Tun Jesus Cristostomo St
Barrigada, Guam 96913

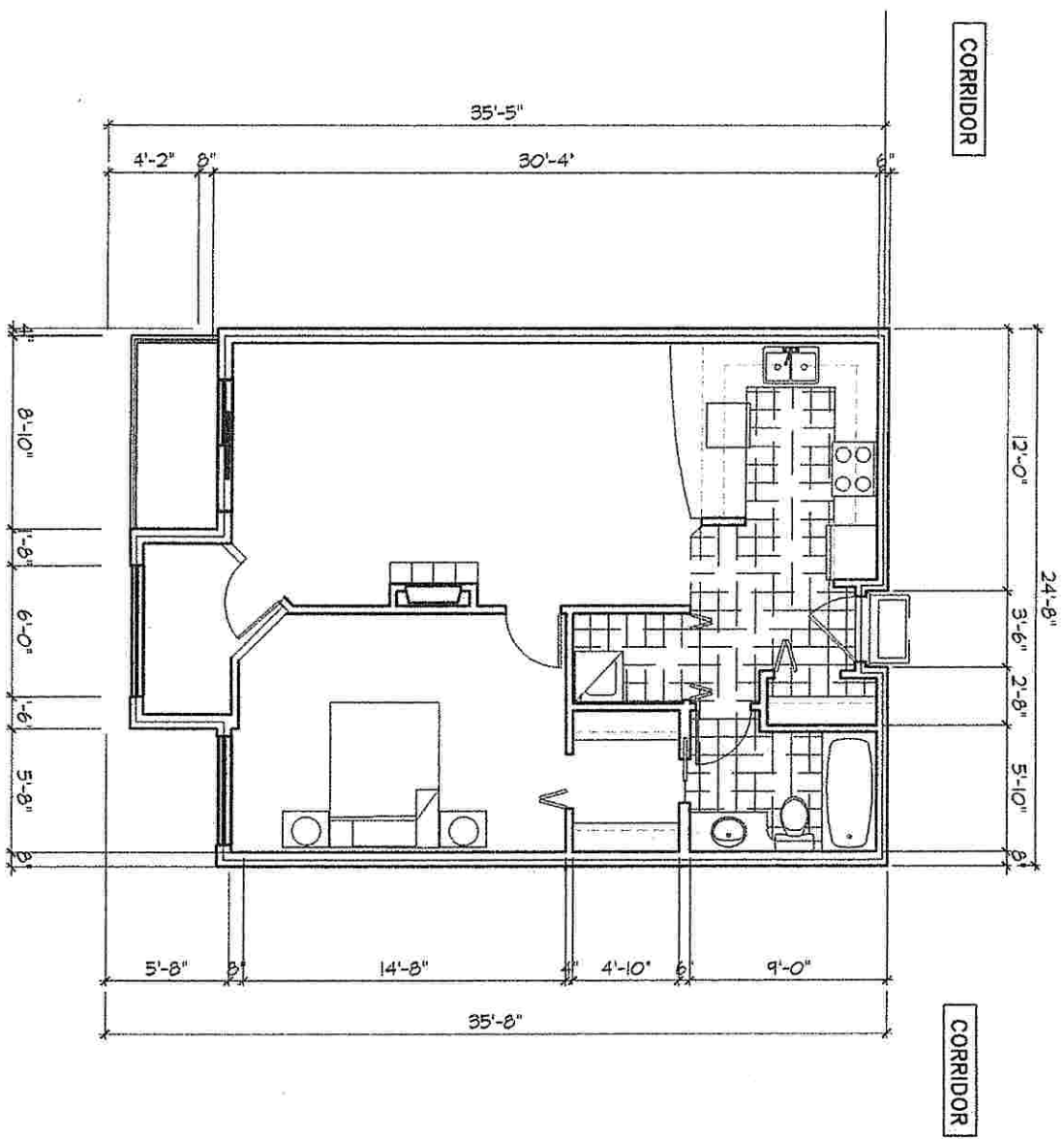
AES
AES CONSTRUCTION
PMB 236, Ste 101
1270 N Marine Dr, Tamuning, Guam
(671) 849-6321

PAGO BAY MARINA RESORT
YONA, GUAM
Suite 201, Tun Jesus Cristostomo St
Tamuning, Guam

Project: PBM-3
Date: JUNE 15, 2015
Scale: 1/8" = 1'-0"
Sheet: A-



TYPE 'G'



TYPE 'F'



TYPICAL UNIT FLOOR PLANS - F & G
SCALE: 1/4" = 1'-0"

I. Lot Number
II Municipality

LOT 164-4NEW-1
Yona
Lot Area
Wetland Reserve

299,505 sf
96,660 sf

III. Building Footprint Area

38,786 sf

IV. Public Area

Lower Part of Infinity Pool 3,430 sf
Recreational Swimming Pool 3,495 sf
Water Park & Pool Area 5,440 sf
Green Lawn & Landscape Area 50,664 sf
Walking & Jogging Concrete Path (1740 lf) 8,700 sf
Concrete Decks & Lounge Area 9,095 sf
Gabion Sea Wall (450 lf x 6 ft) 2,700 sf
Off-Site Grading Route 4 Embankment 20,070 sf

TOTAL PUBLIC AREA 103,594 sf

V. Parking Data

Upper Level Parking Area 48,214 sf
Number of stalls = 117
ADA Paking 5

Lower Level Parking Area 69,426 sf
Number of stalls = 184
ADA Parking 5

Ground level Parking Stalls= 12
ADA Paking 5

TOTAL CAR PAKING 328 Stalls

Other Parkings
Bus Parking 4 (Full Size)
Boat Ramp Parking 3

I. TOWER A

I-a. Floor Levels 3 to 15

Unit Type	Number of Bedrooms	Number of Bathrooms	Floor Area (Square Feet)	Balcony (Square Feet)
A	2	2	942	161
B	2	2	1,211	232
C	2	2	1,245	185
D	2	2	1,110	124
E1	1	1	730	104
E2	1	1	734	104
E3	1	1	734	104
EA1	2	2	1,223	168
EA2	2	2	1,223	168
F	1	1	767	40
G1	2	2	1,117	312
G2	2	2	1,117	312

Total Residential Units / Floor

12 Units

12,153

2,014

I-b. Shared Floor Area per floor

Stairs
Elevator
Circulation & Hallways
Trash Chute
Electrical Closet
Mechanical Room
Utility Closet
Utility Storage

Total Shared Space =

386
588
1,408
96
66
20
94
126
2,784 sf

Total For Tower A (13 Levels)

156 Units

194,185

26,182

GROSS TOWER A AREA =

184,171 sf

II. TOWER B

II-a. Floor Levels 3 to 14

Unit Type	Number of Bedrooms	Number of Bathrooms	Floor Area (Square Feet)	Balcony (Square Feet)
A	2	2	942	161
B	2	2	1,211	232
C	2	2	1,245	185
D	2	2	1,110	124
E1	1	1	730	104
E2	1	1	734	104
E3	1	1	734	104
EA1	2	2	1,223	168
EA2	2	2	1,223	168
F	1	1	767	40
G1	2	2	1,117	312
G2	2	2	1,117	312

Total Residential Units / Floor

12 Units

12,153

2,014

II-b. Shared Floor Area per floor

Stairs
Elevator
Circulation & Hallways
Trash Chute
Electrical Closet
Mechanical Room
Utility Closet
Utility Storage

Total Shared Space =

2,784 sf

Total For Tower B (12 Levels)

144 Units

179,248

24,168

GROSS TOWER B AREA =

170,004 sf

VIII. Ground / Lobby Floor

Lobby Entry / Arrival / Front Desk	6,030	sf
Lobby Lounge Area	7,426	sf
Health Spa	5,934	sf
Restaurant Area	6,104	sf
Retail Commercial Area	6,200	sf
Indoor Coffee Shop	1,668	sf
Outdoor Coffee Shop	3,392	sf
Elevator	2,009	sf
Stairs	295	sf
Open Lanai Deck Area	3,600	sf
Infinity Pool & Outdoor Area	7,695	sf
Lower Level Sun Deck & Pool	12,679	sf
FLOOR AREA TOTAL	63,032	sf

IX. Second Floor

Admin Offices & Staff Housing	6,170	sf
Staff Housing	6,265	sf
Function Rooms	9,845	sf
Public Restrooms & Utility	1,278	sf
Elevator & Circulation	4,570	sf
Public Lounge Area	11,800	sf
FLOOR AREA TOTAL	39,928	sf

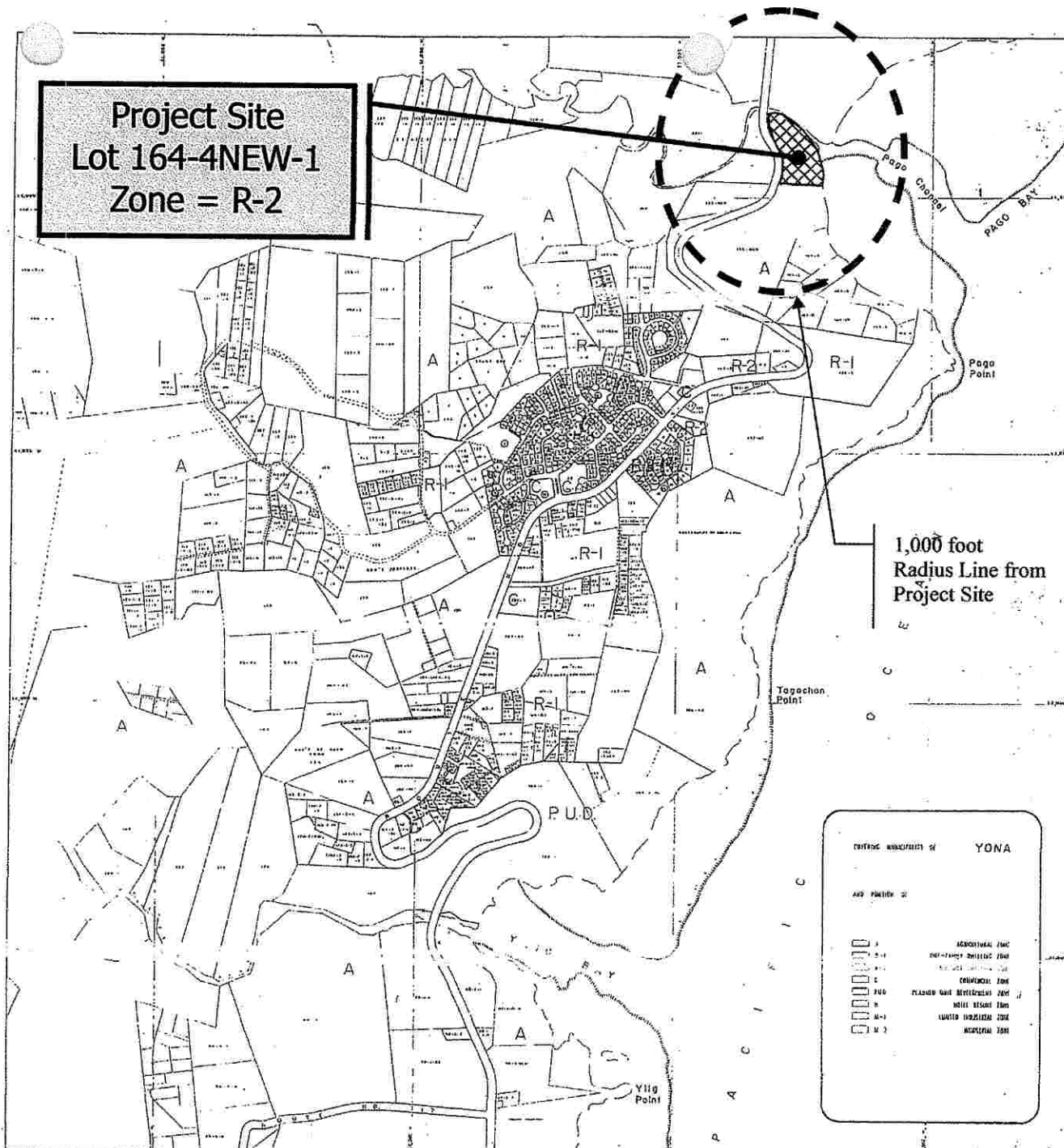
28' x 110' (approx)
44'

7/10/05 20' x 20' 20' x 20'

D. Map – Existing Zoning Within 1,000” Radius



Project Site
Lot 164-4NEW-1
Zone = R-2



1,000 foot
 Radius Line from
 Project Site



NORTH

Graphic Scale

EXHIBIT D

EXISTING ZONING WITHIN
 1,000 FT RADIUS of
 Lot 164-4NEW-1

Municipality of
 Yona

ZONING LEGEND

- A Rural Zone
- PUD Planned Unit Development
- R-1 Single Family Dwelling Zone
- R-2 Multiple-Family Dwelling Zone
- C Commercial
- M-1 Light Industrial
- M-2 Heavy Industrial

*Ref: Dept of Land Management
 Islandwide Zoning Map, Sheet 17 of 17*

FC Benavente, Planners

- Planning,
- Zoning
- Land Development Consulting
- Permitting

127 Bejong Street, Barrigada, Guam 96913
 Tel: 671 988-7911 Email: felouben@yahoo.com



OFFICIAL ZONING MAP
YONA

MAP PREPARED BY
 PLANNING DIVISION
 DEPARTMENT OF LAND MANAGEMENT
 for the
 TERRITORIAL PLANNING COMMISSION
 GOVERNMENT OF GUAM





E. Map – Land Use Within 750' Radius





NORTH
Graphic Scale

LAND USE MAP
EXISTING LAND USE WITHIN
750 FT RADIUS OF
Lot 164-4NEW-1
Municipality of Yona

LAND USE LEGEND

- V Vacant
- S Single Family Dwelling Unit
- M Multi Family Dwelling Unit
- C Commercial Use

Road Conditions:

1. **Route 4** is a major Highway. Paved, W 5 travel lanes, W streetlights, fire hydrants. Good condition. Utilities include power, water, sewer, telephone, & cable.
2. **Inalado Road** is a collector road. Paved, With 2 travel lanes, With streetlights, fire hydrants. Good condition. Utilities include power, water, sewer, telephone, & cable.

FC Benavente, Planners

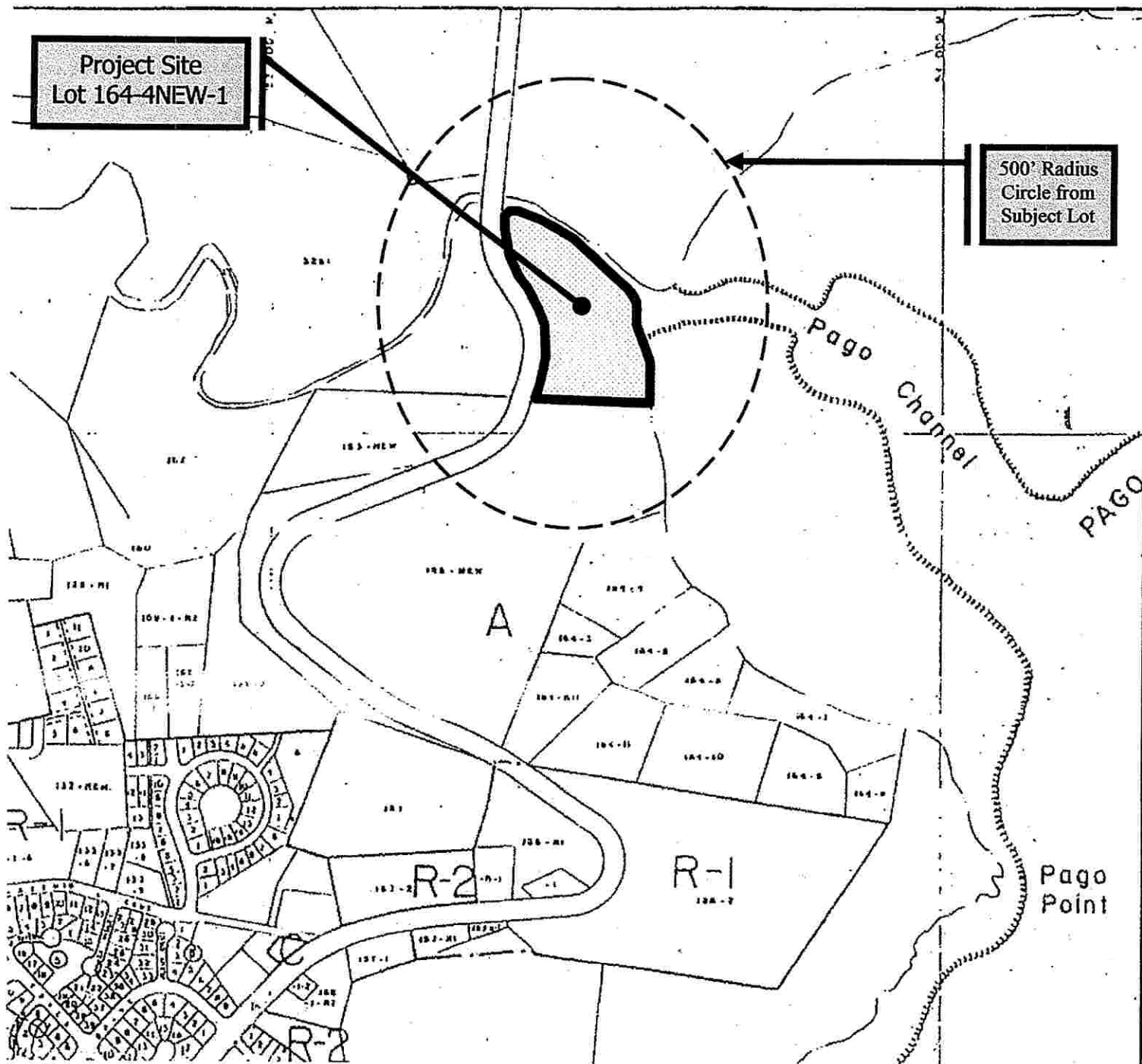
- Planning,
- Zoning
- Land Development Consulting
- Permitting

127 Bejong Street, Barrigada, Guam 96913
Tel: 671 988-7911 Email: felouben@yahoo.com



F. Map – Property Within 500' Radius





Graphic Scale

EXHIBIT F

PROPERTY WITHIN 500 FT
RADIUS of

Lot 164-4NEW-1

Municipality of Yona

NOTES:

FC Benavente, Planners

- Planning,
- Zoning
- Land Development Consulting
- Permitting

127 Bejong Street, Barrigada, Guam 96913
Tel: 671 988-7911 Email: felouben@yahoo.com



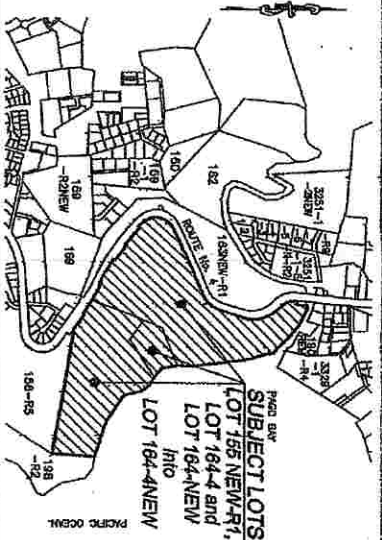
G. Property Map

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
1	17° 48' 47"	64,905	20,314	20.720
	(64.814)	(64.905)	(20.314)	(20.720)
2	32° 46' 41"	69,613	30,744	30.820
	(32.769)	(69.613)	(30.744)	(30.820)
3	43° 50' 50"	106,420	138,854	132.751
	(43.847)	(106.420)	(138.854)	(132.751)
4	49° 28' 25"	111,398	86,153	83.194
	(49.474)	(111.398)	(86.153)	(83.194)
5	58° 00' 44"	72,044	102,782	95.514
	(57.999)	(72.044)	(102.782)	(95.514)
6	51° 34' 30"	66,019	37,833	18.408
	(51.574)	(66.019)	(37.833)	(18.408)
7	58° 28' 50"	82,387	40,458	24.240
	(58.481)	(82.387)	(40.458)	(24.240)
8	62° 40' 07"	82,740	72,998	72.954
	(62.668)	(82.740)	(72.998)	(72.954)
9	62° 40' 07"	83,648	29,454	28.559
	(62.668)	(83.648)	(29.454)	(28.559)
10	62° 40' 07"	83,648	29,454	28.559
	(62.668)	(83.648)	(29.454)	(28.559)
11	62° 40' 07"	83,648	29,454	28.559
	(62.668)	(83.648)	(29.454)	(28.559)
12	62° 40' 07"	83,648	29,454	28.559
	(62.668)	(83.648)	(29.454)	(28.559)
13	62° 40' 07"	83,648	29,454	28.559
	(62.668)	(83.648)	(29.454)	(28.559)
14	62° 40' 07"	83,648	29,454	28.559
	(62.668)	(83.648)	(29.454)	(28.559)
15	62° 40' 07"	83,648	29,454	28.559
	(62.668)	(83.648)	(29.454)	(28.559)
16	62° 40' 07"	83,648	29,454	28.559
	(62.668)	(83.648)	(29.454)	(28.559)

ABSTRACT OF OWNERSHIP	
<p>LOT NO. 156-NEN CERTIFICATE OF TITLE NO. 82985 REGISTERED ON JULY 10, 1988 ESTATE NO. 18539 IN THE MAKE OF PAID BY DEVELOPMENT CORPORATION (INC)</p>	<p>LOT NO. 164-NEN CERTIFICATE OF TITLE NO. 82986 REGISTERED ON JULY 10, 1988 ESTATE NO. 18539 IN THE MAKE OF PAID BY DEVELOPMENT CORPORATION (INC)</p>
<p>LOT NO. 181-4 CERTIFICATE OF TITLE NO. 74884 REGISTERED ON JAN. 31, 1984 ESTATE NO. 18539 IN THE MAKE OF PAID BY DEVELOPMENT CORPORATION (INC)</p>	<p>LOT NO. 184-NEN CERTIFICATE OF TITLE NO. 82950 REGISTERED ON JULY 14, 1988 ESTATE NO. 18539 IN THE MAKE OF PAID BY DEVELOPMENT CORPORATION (INC)</p>



- LEGEND SYMBOL :
- 1. GEN CONTROL MONUMENT
 - 2. 3/4" IRON PIPE FOUND WITH LS TAG 24, REF NO. 1
 - 3. #4 REBAR SET WITH PLASTIC CAP MARKED PLS 64
 - 4. #4 REBAR SET WITH PLASTIC CAP MARKED PLS 64
 - 5. IRREGULARLY COINTEGRATED CONCRETE
 - 6. CONCRETE POWER POLE
 - 7. GUY WIRE
 - 8. SINKER UNHOLE
 - 9. FIRE HOBOAT
 - 10. WATER METER
 - 11. WATER GATE VALVE
 - 12. THERMINE PERSONAL
 - 13. POWER METER PERSONAL



(NOT DRAWN TO SCALE)

[illegible]

1. SURVEY WAS BASED ON ROAD CORNERS AS SHOWN. VOTED.
2. BOUNDARIES AND DISTANCES WITHIN PARENTHESES ARE RECORD. WITHIN
3. BRACKETS ARE BASED ON REF. NO. 3. WITHIN DOUBLE PARENTHESES
4. ARE ROAD CENTERLINE RECORD DATA. ALL OTHERS ARE 1993 VALUE.
5. LOT 10, 15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130, 135, 140, 145, 150, 155, 160, 165, 170, 175, 180, 185, 190, 195, 200, 205, 210, 215, 220, 225, 230, 235, 240, 245, 250, 255, 260, 265, 270, 275, 280, 285, 290, 295, 300, 305, 310, 315, 320, 325, 330, 335, 340, 345, 350, 355, 360, 365, 370, 375, 380, 385, 390, 395, 400, 405, 410, 415, 420, 425, 430, 435, 440, 445, 450, 455, 460, 465, 470, 475, 480, 485, 490, 495, 500, 505, 510, 515, 520, 525, 530, 535, 540, 545, 550, 555, 560, 565, 570, 575, 580, 585, 590, 595, 600, 605, 610, 615, 620, 625, 630, 635, 640, 645, 650, 655, 660, 665, 670, 675, 680, 685, 690, 695, 700, 705, 710, 715, 720, 725, 730, 735, 740, 745, 750, 755, 760, 765, 770, 775, 780, 785, 790, 795, 800, 805, 810, 815, 820, 825, 830, 835, 840, 845, 850, 855, 860, 865, 870, 875, 880, 885, 890, 895, 900, 905, 910, 915, 920, 925, 930, 935, 940, 945, 950, 955, 960, 965, 970, 975, 980, 985, 990, 995, 1000, 1005, 1010, 1015, 1020, 1025, 1030, 1035, 1040, 1045, 1050, 1055, 1060, 1065, 1070, 1075, 1080, 1085, 1090, 1095, 1100, 1105, 1110, 1115, 1120, 1125, 1130, 1135, 1140, 1145, 1150, 1155, 1160, 1165, 1170, 1175, 1180, 1185, 1190, 1195, 1200, 1205, 1210, 1215, 1220, 1225, 1230, 1235, 1240, 1245, 1250, 1255, 1260, 1265, 1270, 1275, 1280, 1285, 1290, 1295, 1300, 1305, 1310, 1315, 1320, 1325, 1330, 1335, 1340, 1345, 1350, 1355, 1360, 1365, 1370, 1375, 1380, 1385, 1390, 1395, 1400, 1405, 1410, 1415, 1420, 1425, 1430, 1435, 1440, 1445, 1450, 1455, 1460, 1465, 1470, 1475, 1480, 1485, 1490, 1495, 1500, 1505, 1510, 1515, 1520, 1525, 1530, 1535, 1540, 1545, 1550, 1555, 1560, 1565, 1570, 1575, 1580, 1585, 1590, 1595, 1600, 1605, 1610, 1615, 1620, 1625, 1630, 1635, 1640, 1645, 1650, 1655, 1660, 1665, 1670, 1675, 1680, 1685, 1690, 1695, 1700, 1705, 1710, 1715, 1720, 1725, 1730, 1735, 1740, 1745, 1750, 1755, 1760, 1765, 1770, 1775, 1780, 1785, 1790, 1795, 1800, 1805, 1810, 1815, 1820, 1825, 1830, 1835, 1840, 1845, 1850, 1855, 1860, 1865, 1870, 1875, 1880, 1885, 1890, 1895, 1900, 1905, 1910, 1915, 1920, 1925, 1930, 1935, 1940, 1945, 1950, 1955, 1960, 1965, 1970, 1975, 1980, 1985, 1990, 1995, 2000, 2005, 2010, 2015, 2020, 2025, 2030, 2035, 2040, 2045, 2050, 2055, 2060, 2065, 2070, 2075, 2080, 2085, 2090, 2095, 2100, 2105, 2110, 2115, 2120, 2125, 2130, 2135, 2140, 2145, 2150, 2155, 2160, 2165, 2170, 2175, 2180, 2185, 2190, 2195, 2200, 2205, 2210, 2215, 2220, 2225, 2230, 2235, 2240, 2245, 2250, 2255, 2260, 2265, 2270, 2275, 2280, 2285, 2290, 2295, 2300, 2305, 2310, 2315, 2320, 2325, 2330, 2335, 2340, 2345, 2350, 2355, 2360, 2365, 2370, 2375, 2380, 2385, 2390, 2395, 2400, 2405, 2410, 2415, 2420, 2425, 2430, 2435, 2440, 2445, 2450, 2455, 2460, 2465, 2470, 2475, 2480, 2485, 2490, 2495, 2500, 2505, 2510, 2515, 2520, 2525, 2530, 2535, 2540, 2545, 2550, 2555, 2560, 2565, 2570, 2575, 2580, 2585, 2590, 2595, 2600, 2605, 2610, 2615, 2620, 2625, 2630, 2635, 2640, 2645, 2650, 2655, 2660, 2665, 2670, 2675, 2680, 2685, 2690, 2695, 2700, 2705, 2710, 2715, 2720, 2725, 2730, 2735, 2740, 2745, 2750, 2755, 2760, 2765, 2770, 2775, 2780, 2785, 2790, 2795, 2800, 2805, 2810, 2815, 2820, 2825, 2830, 2835, 2840, 2845, 2850, 2855, 2860, 2865, 2870, 2875, 2880, 2885, 2890, 2895, 2900, 2905, 2910, 2915, 2920, 2925, 2930, 2935, 2940, 2945, 2950, 2955, 2960, 2965, 2970, 2975, 2980, 2985, 2990, 2995, 3000, 3005, 3010, 3015, 3020, 3025, 3030, 3035, 3040, 3045, 3050, 3055, 3060, 3065, 3070, 3075, 3080, 3085, 3090, 3095, 3100, 3105, 3110, 3115, 3120, 3125, 3130, 3135, 3140, 3145, 3150, 3155, 3160, 3165, 3170, 3175, 3180, 3185, 3190, 3195, 3200, 3205, 3210, 3215, 3220, 3225, 3230, 3235, 3240, 3245, 3250, 3255, 3260, 3265, 3270, 3275, 3280, 3285, 3290, 3295, 3300, 3305, 3310, 3315, 3320, 3325, 3330, 3335, 3340, 3345, 3350, 3355, 3360, 3365, 3370, 3375, 3380, 3385, 3390, 3395, 3400, 3405, 3410, 3415, 3420, 3425, 3430, 3435, 3440, 3445, 3450, 3455, 3460, 3465, 3470, 3475, 3480, 3485, 3490, 3495, 3500,

CERTIFICATE OF TERRITORIAL PLANNER:
APPROVAL PURSUANT TO TITLE 21, GCMR CODE ANNOTATED, CHAPTER 62,
SUBDIVISION LAW

CERTIFICATE OF TERRITORIAL SURVEY:
THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GCMH CODE ANNOTATED, CHAPTER 60 ARTICLE 2, GUMDIA TRANSLATION SYSTEM AND REGULATIONS THEREUNDER ON THIS 24 DAY OF SEP.

PAUL L. SAWYERS, PLS 69
GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE

1. GENUINELY A WILLINGNESS, HEREBY CERTIFY THAT THIS AWP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED ON FIELD SURVEY MADE ON MAY 13, 2008 IN

ACCORDANCE WITH ALL EXISTING LAWS AND REGULATIONS, AND THAT I AM RESPONSIBLE FOR THE ACCURACY OF THE DATA AND THE INFORMATION ON THIS AWP. I HEREBY CERTIFY THAT THE INFORMATION ON THIS AWP WAS OBTAINED FROM THE PERSONS INDICATED ON THIS AWP.

APPROVED AND FORWARDED:

Special Agent in Charge

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

REVISIONS	DESCRIPTION	BY	APPROVED BY	DATE

CONSULTATION SERVICES HAS NO

CONSOLIDATION SURVEY MAP OF
LOT 156 NEW-ET, 164-4 AND 164-NEW INTO
LOT 164-4 NEW
MUNICIPALITY OF YONGE
LAND SQUARE NO. 26
SECTION NO. 1

SURVEY DATA		LOT NO.	DATE
BOOK NO. 04-08-10		SECTION OF TITLE NO.	
COMPLETED BY: SAW	MAY 2008	REGISTERED ON:	
DRAWN BY: CHB	MAY 2008	ESTATE NO.:	
RESEARCHED BY: ADK	MAY 2008	IN THE NAME OF:	
FIELD BY: ADK	MAY 2008		
CHECKED BY: SAW	MAY 2008		
SCALE: AS SHOWN			
SEE PLAN			

DRAWING NO.:
GEAV-024-08

Geotechnical & Vibrations
Professional Seal, Engineer No. 61
139 Sacramento St., Suite 800
Tel. No. (971) 712-4171, Fax: 718/000000@geotek.com

L.M. CHECK NO.:
188-FY 2008

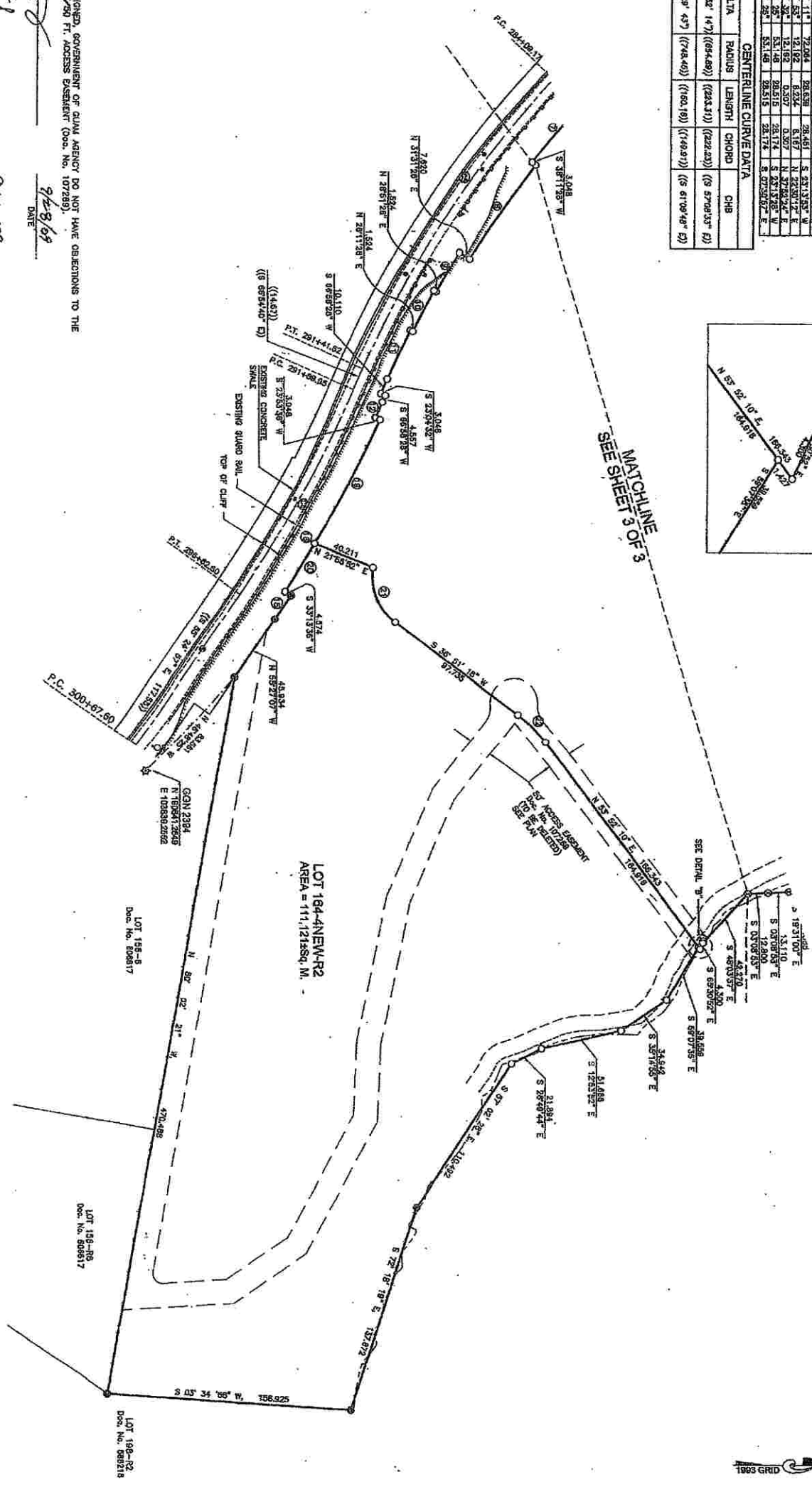
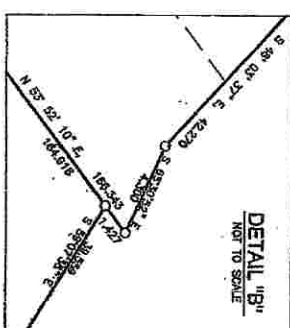
107 125th Ave., Box 10, 259114
107 166-4, Box 10, 771554
107 168-New Pae., No. 759114
MOO MAY ASSN., LLC
AND MAY, IS AUTHORIZED REPRESENTATIVE

Aug. 28 - 2009
DATE

PACO PAY RESERV, LLC
FONG WU, ITS AUTHORIZED REPRESENTATIVE

CURVE	DELTA	CURVE TABLE		CHORD BEARING
		LENGTH	CHORD	
7	04.50.00	673.497	44.855	4.497254° E
8	05.40.00	673.497	44.855	4.507054° E
9	06.40.00	673.497	44.855	4.516854° E
10	07.40.00	673.497	44.855	4.526654° E
11	08.40.00	673.497	44.855	4.536454° E
12	09.40.00	673.497	44.855	4.546254° E
13	10.40.00	673.497	44.855	4.556054° E
14	11.40.00	673.497	44.855	4.565854° E
15	12.40.00	673.497	44.855	4.575654° E
16	13.40.00	673.497	44.855	4.585454° E
17	14.40.00	673.497	44.855	4.595254° E
18	15.40.00	673.497	44.855	4.605054° E
19	16.40.00	673.497	44.855	4.614854° E
20	17.40.00	673.497	44.855	4.624654° E
21	18.40.00	673.497	44.855	4.634454° E
22	19.40.00	673.497	44.855	4.644254° E

CENTERLINE CURVE DATA				
CURVE	DELTA	RADIUS	LENGTH	CHORD
C5	(11° 32' 14.7")	((65+89))	((283.31))	((3 57'08.35"))
C6	(11° 29' 43.7")	((748.40))	((160.19))	((3 01'09.49"))



DPW/GEPA:

"WE THE UNDERSIGNED, GOVERNMENT OF GUAM AGENCY DO NOT HAVE OBJECTIONS TO THE DELETION OF, THE 50 FT. ACCESS EASEMENT (Doc. No. 107289).

9/28/09
DATE

9-18-2009

DATE 1-10-2001

LORILEE CRISTOFANO
GEPA, ADMINISTRATOR

GPA/GMA:

*"WE THE UNDERSIGNED, GOVERNMENT OF GUAM UTILITY AGENCY DO NOT HAVE ANY OBJECTION TO THE DELETION OF THE 60 FT. ACCESS EASEMENT (Doc. No. 107268). THERE ARE NO UTILITIES EXISTING WITHIN THE OFFERED EASEMENT OR ANY

9/30/09

JOAQUIN FLORES
CFA, GENERAL MANAGER
DATE 7/20/02

7-8-09
DATE

GTA:

*GTA HAS NO OBJECTION TO THE DELETION OF THE 50 FT. ACCESS EASEMENT (Doc. No. 107285). THERE ARE NO TELEPHONE LINES/CONDUITS, EQUIPMENT EXISTING WITHIN THE

DELETED EASEMENT OR R/W.

9/15/09

DATE _____
 OFFICE OF THE ATTORNEY GENERAL
 STATE OF NEW YORK

CERTIFICATE OF SURVEYOR:
I, GENERALSID A. WILLIAMS, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED ON FIELD SURVEY MADE ON MAY 13, 2009 IN ACCORDANCE WITH ALL EXISTING LAWS AND REGULATIONS AND THAT I AM RESPONSIBLE FOR THE ACCURACY OF THE DATA AND INFORMATION SHOWN HEREON. I ALSO CERTIFY THAT ALL THE INSTRUMENTS ARE OF THE CHARACTER AND QUALITY THE POSITIONS INDICATED ON THIS MAP.

9/13/09
DATE

Seal of the Commonwealth of Massachusetts, featuring a Native American figure holding a bow and arrow, surrounded by the text "SIGILLUM REIPUBLICÆ MASSACHUSETTENSIS" and "1780".

REVISIONS	DESCRIPTION	BY	APPROVED BY	DATE

LOT PARCELING SURVEY MAP
 OF
LOT 164-4NEW
 MUNICIPALITY OF YONA

LAND SQUARE NO. 26

SECTION NO. 1

SURVEY DATA		LOT NO.:	SECTION OF TITLE NO.:
BOOK NO. 07-08-10	DATE	CD	REGISTERED NO.:
DRAWN BY: SHS	MAY 2008	ESTATE NO.:	
RESEARCHED BY: ADA	MAY 2008	IN THE NAME OF:	
FIELD BY: ADK	MAY 2008		
CHECKED BY: GAV	MAY 2008		
SCALE: AS SHOWN			
		SEE PLAN	

DRAWING NO.:
GAY-024-08

PROJECT:
123 Somerset St., Boston, MA 02108
Tel: (617) 777-0000, Fax: 777-0000
http://www.gayengineering.com

DESIGNED BY:
J. A. Smith

CHECKED BY:
L.M. Smith

DATE:
10/15/2008

Table 1

770522

08

03

19

11:36

DATE RECEIVED

473 am 4/19/08

(Space above for Recordation)

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUCGSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change."

GUAM LAND USE COMMISSION

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

NOTICE OF ACTION

PKM/

March 14, 2008

Date

To: Pago Bay Resorts, LLC
Represented by John Sherman
And Felix Benavente
Suite 201, Tun Jesus Crisostomo Street
Tamuning, Guam 96913
Application No. 2007-84

The Guam Land Use Commission, at its meeting on March 13, 2008.

 / Approved / Disapproved
XX / Approved with Conditions / Tabled

Your request for a Tentative Subdivision approval to create 98-single family residential lots with full improvements on Lot 155-NEW-R1, Zone "R-2" Multi-Family Dwelling, Municipality of Yona.

<u> </u> / Zone Change**	<u> </u> / Subdivision Variance
<u> </u> / Zone Variance	<u>XX</u> / Tentative Subdivision
<div><input type="checkbox"/> Height <input type="checkbox"/> Density <input type="checkbox"/> Setback</div>	<div><input type="checkbox"/> Use <input type="checkbox"/> Other</div>
<u> </u> / Conditional Use	<u> </u> / Final Subdivision
<u> </u> / Wetland Permit	<u> </u> / Re-Subdivision
<u> </u> / Determination of Policy Definition	<u> </u> / Subdivision Definition
<u> </u> / Seashore Clearance	<u> </u> / Miscellaneous

***Approval by the Guam Land Use Commission of a Zone change DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Notification be sent upon action taken by the Governor. (Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

Pago Bay Resorts, LLC
Represented by John Sherman, P.E. & Felix Benavente
Lot 155-NEW-R1, Municipality of Yona
GUC Meeting of March 13, 2008
Page 3 of 7

GUAM ENVIRONMENTAL PROTECTION AGENCY cont'd:

Air Pollution:

Guam EPA requires that no person shall cause or permit visible fugitive dust to become airborne without taking reasonable precautions. Examples of reasonable precautions are:

- (1) Use of water or suitable chemicals for control of fugitive dust in the demolition of existing buildings or structures, construction and retrofitting operations, the grading of roads, or the clearing of land;
- (2) Application of asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which may allow release of fugitive dust;
- (3) Installation of appurtenances that provide an enclosure and ventilation for all crushing, aggregate screening, and conveying of material likely to become airborne;
- (4) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material.
- (5) Covering all moving, open-bodied trucks transporting materials which may release fugitive dust;
- (6) Conducting agricultural operations, such as tilling of land and the application of fertilizers, in such manner as to reasonably minimize;
- (7) Maintenance and sealing of road-ways and parking lots so as to prevent the exposure of such surfaces to wind, water, or vehicular travel erosion; and
- (8) Prompt removal of earth or other materials from paved streets which have been transported there by trucking, earth-moving equipment, erosion, or other means;
- (9) Except for persons engaged in agricultural operations or persons who can demonstrate to the Administrator that the best practical operation or treatment is being implemented, no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which fugitive dust originates.

Solid Waste/Green Waste:

Please be advised that any green waste generated by clearing of this development shall not be transported to the Ordot Dump. We recommend that green waste be mulched and used on site. We recommend that all white goods found on site be transported to designated drop off points.

GUAM WATERWORKS AUTHORITY

GWA has no objection to the Tentative Development Plan if the conditions noted below are met and if a resolution to the wastewater capacity issues can be reached prior to the commencement of the project.

GWA conditional approval does not constitute a guarantee that water and wastewater service is immediately available to the subject lot. Any extension of the water and wastewater systems and/or capacity upgrades required to serve the property shall be subject to the rules and regulations of GWA and shall be at the expense of the developer.

GUAM WATERWORKS AUTHORITY cont'd:

Design calculations shall include a fixture count summary for evaluation and determination of most appropriate meter size. Water service point of connection, connection details, water service line and meter size must be illustrated in the drawings and approved by GWA. If water meter size, required to meet fire flow requirements cannot register efficiently average daily flows, then a separate fire flow line shall be provided.

The project detail design shall include an evaluation of fire flow requirements and system capacity to provide fire flows. GWA conditional approval does not constitute a guarantee that the system is adequate to provide fire protection at the site.

Applicant shall conduct wastewater calculations on the Pago Double Shaft and New Chaot Sewer Pump Stations to determine the reserve capacity required to accommodate the proposed wastewater load. In addition, applicant is hereby advised that the gravity sewer lines on Route 4 downstream of the New Chaot SPS terminating manhole and on Route 1 are at capacity. Until projects are implemented to upgrade these areas, this subdivision will be unable to connect to the sewer. Although a review to determine specific requirements for these areas is in progress, no detailed recommendations have been made as to requirements for upgrading them. Any upgrades of the downstream facilities must be completed prior to the connection of the subdivision, whether the financial responsibility is determined to be that of GWA or the development.

Plans and specifications must be submitted for review and approval of GWA prior to construction. Submittals shall include water and sewer design calculations and complete drawings and specification. GWA recommends that project consultants coordinate development of utility plans with GWA well in advance of building permit submittal (conceptual and 60% development stages). Final submittal shall include electronic and paper copies of plans (electronic copy required for utilities only).

Applicant's proposal to incorporate a "gated community" is highly discouraged. If Applicant decides to proceed with the gated community plans prior to the building permitting process, this Position Statement shall be voided and Applicant shall consult with Guam EPA and GWA Engineering Division for requirements and specifics.

Applicant is hereby on notice that water and sewer development charges may be applicable based on its submittals of the final development plans.

GUAM POWER AUTHORITY:

A. Comments and Recommendations Concerning GPA Requirements.

1. GPA has no objection, however customer is required to comply with the following pursuant to the National Electric Safety Code and GPA's Service Rules and Regulations:

- Coordinate overhead/underground power requirements with GPA Engineering for new structures.
- Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code.
- Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
- Secure electric utility easements required.

GUAM POWER AUTHORITY cont'd:

- Provide scheduling and magnitude of project power demand requirements for new loads.
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.
2. Primary distribution line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Rules and Regulations.
 3. A "fair share" assessment for power generation, transmission and/or substation facilities may be required.
- B. General Comments.
- GPA has no objection to the request subject to the conditions cited above.

DEPARTMENT OF PARKS AND RECREATION:

No Objections with the following conditions:

1. All construction activities relative to ground disturbances within the project area shall be coordinated with the project's archaeologist, including the staging area.
2. Considerations and discussions shall be made in good faith in finding resolutions to the avoidance of disturbance to burials.
3. As regards to construction and accessibility of neighborhood parks and recreation facilities, the applicant is advise to consult with DPR, DPW, DLM, and the Mayor of Yona.
4. As regards to trails and "ocean shore access," the applicant shall consult with DPRR, parks Division and Guam Historic Preservation Office, DLM and DPW pursuant to guidelines and requirements in accordance with Public Access to the Ocean Shore and Traditional Right-of-Way, Public law No. 19-05.
5. Subject application shall comply with the requirements of Guam Public Law 20-151 and 21-104; Guam Executive Orders 89-9 and 89-24; Section 106, Part 800, National Historic Preservation Act of 1996, as amended, when applicable, and shall also be consistent with the general and specific policy guidelines of the Department of Parks and Recreation in consultation with the Guam Historic Preservation Office.
6. Any activity determined by our office to be a violation of the conditions set forth may constitute grounds for suspension of our approval and the issuance of a "Cease Work Order" against the entire project, pursuant to Section 76511, Article 5, Chapter 76, 21 GCA.

DEPARTMENT OF PUBLIC WORKS

A building permit is required prior to construction and change of use. Design Drawings must meet all building, electrical and plumbing codes, parking, traffic, sign, grading, drainage, and ADA regulations.

The Department of Public Works Traffic Division request that a "Signal Warrant Analysis and a Warrant Analysis & Recommendation" be commissioned (at no cost to the Government of Guam) and transmitted to the Division of Engineering (Horizontal) for evaluation.

This data will determine whether an intersection meets warrants for signalization as specified in the "Manual of Uniform Traffic Control Devices (MUTCD) and accepted traffic-engineering practices. It will aid in determining whether a signal should be installed and determine what other improvements or combination of improvements would best and cost effectively reduce crash occurrences. The study should also identify public utilities that are impacted by the improvements.

BUREAU OF STATISTICS AND PLANS:

No Objections with the following conditions:

1. Before the Final Subdivision Plan/Application is submitted for review and approval, all of the basic infrastructure that were indicated in the tentative subdivision plan are in place. Only when all of the infrastructure is in place that the final plan be entertained.
2. The applicant must be required to work with the Department of Public Works (DPW) and the Yona Mayor to ensure that appropriate street names and house numbers are assigned for the proposed subdivision prior to the Final Subdivision Plan being submitted for approval.
3. The parking layout and dimensions as well as the vehicular layout within the development must be approved by DPW to ensure that the applicants are in conformance with the right of way requirements.
4. The applicants must be required to work with the Guam Fire Department (GFD) to ensure that the access to the proposed establishment is sufficient and acceptable for emergency vehicles in the event of fire or an emergency and that the fire hydrants are in conformance with the Fire Codes.
5. The applicants must be required to work with the Guam Environmental Protection Agency (GEPA) to ensure that all storm water and run-off issues are adequately addressed. The applicant must ensure that erosion is mitigated and best management practices are implemented.
6. The applicant must work with the Historic Preservation Division of the Department of Parks and Recreation to ensure that an archeological survey of all sub-terrain surfaces is conducted, especially where digging may occur.
7. The applicant is encouraged to work with the Department of Agriculture to reduce the number of native trees that cleared.
8. The applicant must be required to work with the Department of Parks and Recreation to provide designated and signed public access.
9. No future changes to the proposal will be allowed unless GLUC first approves them.

Carlos R. Unlalan 03-14-08 Xapfen
Acting Guam Chief Planner DATE
Jay L. Leither DATE
Chairman
Guam Land Use Commission

Case Planner: Carl Unlalan
Attachment(s): ARC Distribution List
Cc: Building Permits Section, DPW (Attn: Mr. Jesus Ninate)

CERTIFICATION OF UNDERSTANDING

I/We _____
(Applicant [Please print name]) (Representative [Please print name])
Felix C. Benavente

Understand that pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change. The Commission may grant two (2) one-year extensions of the above approval period at the time of initial approval.

I/We, further agree and accept the conditions above as a part of the Notice of Action and further agree to any and all conditions made a part of and attached to this Notice of Action as mandated by the approval of the Guam Land Use Commission/Guam Seashore Protection Commission.

Signature of Applicant _____

Signature of Representative Felix C. Benavente

DATE: _____

DATE: 3/25/08

ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY: _____

☐ Applicant

☐ Representative

3/25/08
DATE



SPLIT ZONE CHANGE
APPLICATION NO. 2007-080
LOT 155 NEW
MUNICIPALITY OF YONA



SPACE FOR RECORDATION
Island of Guam, Government of Guam
Department of Land Management

File for record is Instrument No. 784581

For the Year 2007, Month 11, Day 16, Time 1:21

Recording Fee 12.00 Receipt No. _____

Deputy Recorder [Signature]

SPLIT ZONE CHANGE
APPLICATION NO. 2007-080
PAGO BAY RESORT, LLC
Prepared on October 24, 2007

EXISTING ZONING: "R-2" AND "A"

TO: "R-2" (FULL ZONE)

LOT NO: 155 NEW

BLOCK NO: N/A

TRACT: N/A

MUNICIPALITY: YONA

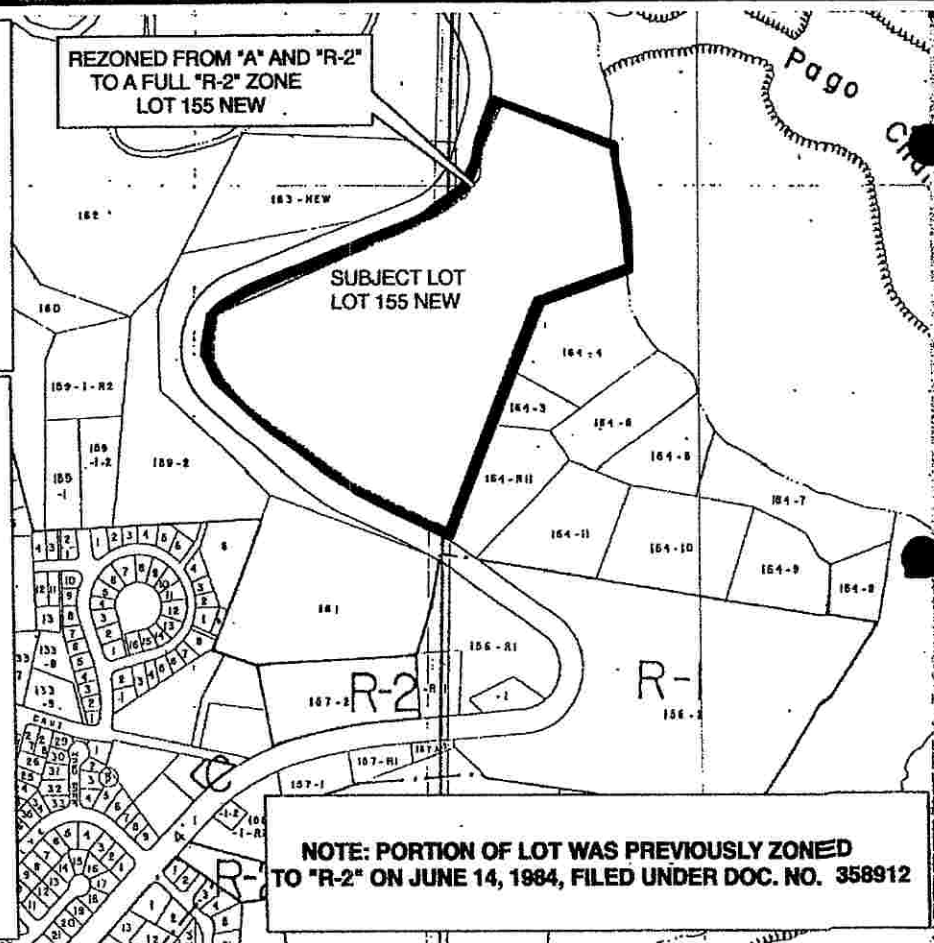
SCALE: N/A

AMENDMENT NO: A28

ZONING MAP NO: F3-67S45

APPROVED PURSUANT TO PL 25-131,
SUBJECT LOT IS REZONED TO A
FULL "R-2" MULTI-FAMILY
DWELLING ZONE.

[Signature] 11/14/07
TEREZO R. MORTERA DATE
Director,
Department of Land Management



(Above Space For Recordation)

Pursuant to Public Law 25-131, "An Act to Add Section 61214 to Article 2, Chapter 61 of Title 21 of the Guam Code Annotated, relative to resolving Split Zone Situations" I, Terezo R. Mortera, Director of the Department of Land Management do hereby approve the request of Pago Bay Resort, LLC located in the Municipality of Yona, Guam, from a split zone of "A" (Rural) and "R-2" (Multi-Family Dwelling) to a full zone of:

"R-2" (Multi-Family Dwelling)

Said property is more specifically described as:

Lot 155NEW situated in the Municipality of Yona, Guam, Estate No. 22074, containing an area of 2,030,934± square feet or 188,680.65± square meters.

The above lot is shown and described as Lot Number 155NEW, Yona, Guam Estate Number 22074, Suburban, as said Lot is described in that Consolidation of Lots 164-3 and 164-5 through 164-R11 into Lot 164NEW, Retracement Survey of Lots 147-4, 147-5, 155NEW, 156-3, 156-R5, 157-A-1 and 163NEW-R1, as shown on Drawing Number L-654, as L.M. Check Number 007FY83, dated 28 October 1982 and recorded under Instrument No. 342855 at the Department of Land Management. The above referenced map indicates the property contains an area of 188,680.65± square meters or 2,030,934± square feet. Last Certificate of Title Number: 34855- Pago Bay Development Corporation.

Approval of this new zone designation to the entire property (the lot) shall be final effective on the date of recordation of this document. Any future rezoning of the said lot shall not be subjected under this same process but must follow the procedures for zone change pursuant to Title 21, Guam Code Annotated, §61630, Zoning Law.

APPROVED:


TEREZO R. MORTERA

Director, Department of Land Management

Attachment(s):

1. Amendment No: F3-67S45 (Amendment 25)
2. Copy of Approved/Recorded Property Map No. USSG6-13
3. Document of Ownership (Certificate of Title, Deed of Gift, Warranty Deed, etc.)
Certificate of Title: DLM Instrument No. 114607


11/27/2007
RECEIVED

H. Property Ownership Document

Island of Guam, Government of Guam
Department of Land Management Office of the Recorder

File for Record is Instrument No. 867686

On the Year 14 Month 07 Day 28 Time 8:40

Recording Fee 250 Receipt No. 36829

Deputy Recorder Jessa G. Managau.

Security
Title.

QUITCLAIM DEED

THAT ON THIS 7th day of July 2014, **LIAONING WANFANG REAL ESTATE DEVELOPMENT LTD.**, whose mailing address is P.O. Box 6336, Tamuning GU 96931, hereinafter referred to as "GRANTOR", for and in consideration in the amount of ZERO DOLLARS (\$0.00) does hereby remise, release, and forever quitclaim unto **GUAM WANFANG CONSTRUCTION LTD.**, whose mailing address is P.O. Box 6336, Tamuning GU 96931, hereinafter referred to as "GRANTEE," and GRANTEE'S heirs, administrators, executors, successors and assigns, all of GRANTOR'S rights, title and interest, in and to the following described premises:

Lot Number 164-4NEW-1, Yona, Guam, Suburban, as said Lot is described in that Lot Parcelling Survey Map of Lot 164-4NEW, as shown on Drawing Number GAV-024-08, as L.M. Check Number 186 FY 2008, dated 02 October 2009 and recorded on 23 March 2010 under Instrument No. 803628 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 27,825 ± square meters.

Last Certificate of Title Number:

82985 - Pago Bay Development Corporation (as to Basic Lot 155NEW; Estate Number 22074).

82990 - *Pago Bay Development Corporation (HK) (as to Basic Lot 164NEW; Estate Number 19538).*

74894 - *Kloppenbug Enterprises, Inc., and Cenpac, Inc., a Guam corporation (as to Basic Lot 164-4; Estate Number 19539).*

GRANTEE, hereby acknowledges that the Government of Guam is not responsible in any way for water and power hookup and that water and power ☐ are ☐ are not ☐ immediately available on the property or within 100 feet of the above mentioned property.

IN WITNESS WHEREOF, this instrument has been executed this 7th day of July 2014.

GRANTOR:

LIAONING WANFANG REAL ESTATE DEVELOPMENT LTD.

BY *Qingao Lan*
QINGGAO LAN
AUTHORIZED REPRESENTATIVE

U.S. Consulate General
Shenyang, China

}

SS

On this 7th day of July 2014, before me, a United States Notary Public, personally appeared Qing Gao Lan, for and on behalf of Liaoning Wanfang Real Estate Development Ltd., as its duly authorized representative, and he acknowledged to me that he executed the foregoing Quitclaim Deed, as his voluntary act and deed for the purposes herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.



David H Wacker
Vice Consul

NOTARY PUBLIC

My commission expires:

PRESIDENTIAL COMMISSIONS
DO NOT EXPIRE

GRANTEE:

GUAM WANFANG CONSTRUCTION LTD.

BY *Qing Gao Lan*
QING GAOLAN
AUTHORIZED REPRESENTATIVE

U.S. Consulate General
Shenyang, China

}

SS

On this 7th day of July 2014, before me, a United States Notary Public, personally appeared Qing Gao Lan, for and on behalf of Guam Wanfang Construction Ltd., as its duly authorized representative, and he acknowledged to me that he executed the foregoing Quitclaim Deed, as his voluntary act and deed for the purposes herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.


David H Wacker
NOTARY PUBLIC
~~Vice Consul~~
My commission expires:

**PRESIDENTIAL COMMISSIONS
DO NOT EXPIRE**

AFFIDAVIT OF TRUE CONSIDERATION

TO: DIRECTOR OF LAND MANAGEMENT

WE, the undersigned having been first duly sworn hereby depose and say as follows:
WE have duly transferred any interest we may have in the following described real property:

Lot Number 164-4NEW-1, Yona, Guam, Suburban, as said Lot is described in that Lot Parcelling Survey Map of Lot 164-4NEW, as shown on Drawing Number GAY-024-08, as L.M. Check Number 186 FY 2008, dated 02 October 2009 and recorded on 23 March 2010 under Instrument No. 803628 at Land Management.

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82990 – Pago Bay Development Corporation (HK) (as to Basic Lot 164NEW; Estate Number 19538).

74894 – Kloppenburg Enterprises, Inc., and Cenpac, Inc., a Guam corporation (as to Basic Lot 164-4; Estate Number 19539).

by the terms of a Quitclaim Deed executed on the 7th day of July, 2014, bearing Document Number 867686, said deed incorporated here is reference.

That the true consideration or value given for said real property is \$0.00.

That the said value is based on payment of \$0.00 U.S. Currency, and the balance covered by a Mortgage in the amount of \$0.00.

~~Vice Consul~~
NOTARY PUBLIC

My commission expires:

**PRESIDENTIAL COMMISSIONS
DO NOT EXPIRE**

Affidavit of True Consideration
Lot Number 164-4NEW-1, Yona, GU 96915
2014-0306LJD